



LAKE COUNTY DISTRICT ATTORNEY'S OFFICE
BUREAU OF INVESTIGATIONS

255 N. Forbes Street, Lakeport, California 95453

INVESTIGATION REPORT

Page 1 of 9

Case Number

DAI # 17-051

Code Section
118 PC - Perjury

Crime
Perjury

Date Occurred From/To
01/27/2017

Time Occurred From/To
Morning

Classification Code
Felony

Location of Incident
Lake County Sheriff AWP Building - Lake County Investigative Grand Jury

Case Referral

Reporting Officer
A.J. Chapman

ID#
2316

Agency
Lake County District Attorney Office

Phone#
(707) 263-2551

Address of Agency
255 N. Forbes Avenue

Phone#
(707) 263-2551

Requesting Attorney
District Attorney Don Anderson

Phone#
(707) 263-2551

Specific Request
Perjury committed during testimony before the Lake County Investigative Grand Jury

Case Information

Involvement Codes: V - Victim W - Witness R - Reporting Party L - Investigative Lead

Code
V
Name (Last, First, Middle or Business Name)
Lake County Investigative Grand Jury

DOB
NA

Sex

ID

Residence Address
NA

Phone#

Business Address

Phone#

Victim Type
Victim

Direct Loss

Indirect Loss

Business Type

Code
Name (Last, First, Middle)

DOB

Sex

ID

Residence Address

Phone#

Business Address

Phone#

Code
Name (Last, First, Middle)

DOB

Sex

ID

Residence Address

Phone#

Business Address

Phone#

Code
Name (Last, First, Middle)

DOB

Sex

ID

Residence Address

Phone#

Business Address

Phone#

Routing:

DA - County

LE. - Agency


Other

Reporting Officer
A. J. Chapman

ID#
2316

Date
03/22/2017

LAKE COUNTY
DISTRICT ATTORNEY
MAR 29 2017
RECEIVED

Investigation Report Continued		OAC#	D/ 17-J51	Page 2 of 50
Suspect Information				
Suspect # 1	Name (Last, First, Middle) Arreaga, Michael Anthony		DOB [REDACTED]	Description WMA 6'4"/280 Blk/Bm
Residence Address [REDACTED] Clearlake Oaks, CA 95423			Phone# (707) [REDACTED]	
Work Address None			Phone#	
DL [REDACTED]	SS#	CII 08026713	Other Identification	
Suspect#	Name (Last, First, Middle)	DOB	Description	
Residence Address			Phone#	
Work Address			Phone#	
DL#	SS#	CII#	Other Identification	
Suspect#	Name (Last, First, Middle)	DOB	Description	
Residence Address			Phone#	
Work Address			Phone#	
DL#	SS#	CII#	Other Identification	
Suspect#	Name (Last, First, Middle)	DOB	Description	
Residence Address			Phone#	
Work Address			Phone#	
DL#	SS#	CII#	Other Identification	
Evidence				
1. CD Containing Jail phone calls 2. Excerpts from the Lake County Investigative Grand Jury Transcripts – Friday, January 27, 2017 3. Copy of Entire Lake County Investigative Grand Jury Transcript- Booked into Evidence- On CD				

VIOLATION(S) INVESTIGATED:

California Penal Code Section 118 PC (a) ~ Every person who, having taken an oath that he or she will testify, declare, depose, or certify truly before any competent, tribunal, officer, or person, in any of the cases in which the oath may by law of the State of California be administered, willfully and contrary to the oath, states as true any material matter which he or she knows to be false, and every person who testifies, declares, deposes, or certifies under penalty of perjury in any of the cases in which the testimony, declarations, depositions, or certification is permitted by law of the State of California under penalty of perjury and willfully states as true any material matter which he or she knows to be false, is guilty of perjury.

148.5. (a) Every person who reports to any peace officer listed in Section 830.1 or 830.2, or subdivision (a) of Section 830.33, the Attorney General, or a deputy attorney general, or a district attorney, or a deputy district attorney that a felony or misdemeanor has been committed, knowing the report to be false, is guilty of a misdemeanor.

Reporting Officer A.J. Chapman	Approval	Date 03/17/2017	2
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Summary

This investigation pertains to perjury being committed by Mr. Michael Arreaga during sworn testimony before the Lake County Investigative Grand Jury on Friday, January 27, 2017. It is necessary to provide some historical background to lay the foundation for this investigation.

On 04/18/2016, at approximately 2040 hours, a shooting incident occurred at 6014 E. State Highway 20 #B Lucerne, CA 95458 – The residence of Mr. Michael Arreaga and Mr. Jason Arreaga. During this incident, Mr. Michael Arreaga was shot in his right leg. This shooting investigation is thoroughly documented in Lake County Sheriff's Department case number #C16040227. During this investigation, Lake County Sheriff's Deputies and Detectives interviewed Mr. Michael Arreaga and Mr. Jason Arreaga pertaining to the shooting which severely injured Mr. Michael Arreaga's right leg. As a result of the statements provided by both of the Arreaga's, Lake County Sheriff's Department arrested and booked a Mr. Jeremy Bryant for the crime of 664/187 PC – Attempted Murder. Mr. Bryant provided a statement that was completely different than the statements provided by the Arreaga's. The Lake County District Attorney's Office formally charged Mr. Bryant with attempted murder. Mr. Bryant was held to answer after his preliminary hearing on May 25th 2016, and was awaiting trial in the Lake County Sheriff's Department Correctional Facility.

On 07/04/2016, Mr. Jason Arreaga is alleged to have committed the attempted murder of Mr. Antonio Dalbalcon. This investigation is memorialized in Lake County Sheriff's Department Report# 16070049. Mr. Jason Arreaga was taken into custody for this crime and is presently in custody on this case and awaiting trial.

On 01/04/2017, Lake County District Attorney Investigator (DAI) Bean ~ 2315, was conducting follow up and monitoring the inmate telephone calls made by Mr. Jason Arreaga. Investigator Bean accessed the Jail Telecommunication System – Global Tel-Link (GTL) and began to conduct her follow up investigation. Investigator Bean located a call between Mr. Jason Arreaga and his father, Mr. Michael Arreaga. During the call, the Arreaga's discuss the shooting incident from 04/18/2016. They discuss several components of that investigation that could only have been known by someone involved in the incident. Investigator Bean realized that the Arreaga's had provided false information to the detectives and also realized that Mr. Bryant should be cleared of his alleged attempted murder charges immediately. This was based upon the fact that Mr. Michael Arreaga admits during the conversation that he in fact had shot himself in the leg and that he had not been shot by Mr. Bryant. Investigator Bean also realized, as a result of monitoring the call, that the Arreaga's were conspiring to commit perjury in that they were discussing how they would explain discrepancies in the case if they were questioned about it at a later date. Investigator Bean memorialized her findings into a report and a copy of the report is attached. (Attachment #1) Below is the excerpt of this phone call from Investigator Bean's report.

Investigation Supplemental Report # 17-010 –MB-1

11/15/16 16:08:27 Destination 707-262-2718, call id 7sp65bfL.v16

Call to Male (Michael Arreaga, Jason's father with same phone number. During a different call to the same number Jason identifies the male by calling him Dad.) Michael was involved in the above pending case and was shot during the incident. They discuss Michael sending money to Jason and putting money on the phone. Michael says he talked to his sister who tried talking to him about the incident. Michael did not want to talk about what happened during the incident however he later makes many statements about it (what I determined to be April of 2016).

06:10

M: So my fucking sister, uh, I almost lost it on her because uh, she said to me, I was just. The only thing I said was, you know. I had 6 surgeries to save my leg. I fucking got my leg shot off, from under me, la, la, la. I didn't say I. You. Who. We. What. She said, "Oh so you, I heard you shot yourself."

J: What the fuck

M: I'm like fuck. Okay, whatever. Did you say anything like that to her?

J: No I didn't. I told her that you were shot.

M: Yeah, you know that's all I said. I said I was shot. I didn't say I shot myself, or the punk did it. And then when I said the punk um, that well I was fucking with or you were fucking with, by the gate. Uh, said that the detective told me there was 8 mother fuckers out there, besides the punk. Yeah, okay she goes, "Oh so there was only one guy." I'm like, "were you there? (laughs) Gee maybe you were outside with them, I don't know maybe you came and did this to me and you fucking saw, I don't know?"

J: She's reading all the blogs and shit. On the internet dude.

M: Yeah it's fucking, I told em, I told em the detectives name and rattle off his number real quick and said, "You're welcome to talk to him about it cuz, he told me. I didn't tell him, and didn't tell you or her any fucking thing." The detective is the one that sat me down and told me that there was more than one mother fucker out there, la, la, la, la. And then I, you know—

J: They got, they ran down every single one of them. And all, the all—

M: yeah

J: All those fools, told on that one guy so that's why there's only one guy locked up.

M: I know the, they let the other half of them go.....

08:12

M: And I don't care whether I shot my fucking self or not. I, I, I. You know the mother fucker shouldn't have been in our faces like that, you know.

J: No, you know they—

M: And I, part of me wants to fucking say yeah okay I shot my fucking self, let the mother fucker go. Because I aint no fucking snitch, whatever, but you know. You know what, I don't give a fuck.

J: Yeah fuck that—

M: The mother fucker shouldn't have been there.

J: Fuck that bitch.

M: And if I shot myself in the fucking leg, trying to shot him, then he is equally responsible in my fucking book. In my book. You know what I mean?

J: Yeah, fuck that bitch.

M: I never said anything like that, to her or to any fucking body else.

J: It's on the blog on the internet

M: But you know how the bitch is. She, she always draws her own fucking conclusions and starts fucking assuming shit (talking over each other)

J: Yeah I don't know what she thinks the in the internet has anything (talking over each other)

M: Yeah I don't, would you say. And why the fuck would you say something like that to somebody who has been through that shit, you know what I mean?

J: Yeah, she's just.

M: Why don't you be the fuck careful what you say, when somebody goes through something like that. And I said, "What, so I'm going to court?"—

J: I was talking to her, I started talking to her cuz I was talking to her about Carly and fucking she flipped out on me and that fucking, you know that bitch, that testified on you. Just went all crazy you know, on me and

said that I shouldn't be fucking with her. That that was the biggest mistake I was ever going to make in my life.

M: Yeah, keep that shit to yourself though. You know, you know it's not her place to do that. You know what I mean?

J: Yeah. Yeah, I know.

M: Well, I'm talking about miss "oh we're strangers" and shit like that and were not really family now because we've not been a part of your life for so long. Well that's your choice bitch, not mine

10:42

M: (still talking about his sister) The bitch is a couple away, a couple years away from sixty.

J: Yeah I know.

M: Ya know—

J: She doesn't act like it at all.

M: I thought she'd fucking give it up after a while. You know but the bitch is just—

J: I know.

M: And the way she said it too, you know how she is. She goes, "So you shot yourself!" And I'm like, "Well if you want to look at it that way. Yeah, I was. The story I told was I was struggling with the fucking, fucking shit back and forth and he had his hands in it to so, there you go." And I mean that's the version that you know, just me and you, uh, decided to fucking tell them. That you told the same story I did, and, and and fuck em, you know?

J: Yeah

M: Yeah, yeah that it was in the mix that I got shot. And yes I did fucking shoot myself in the leg. Yeah, but I was trying to beat on the mother fucker cuz you back was fucking to me and I was going. Remember I was going, fucking move over. Move out of the way so I can shoot the mother fucker. But your, your hand was stuck in the fucking, in the cage, you know what I mean?

J: Yeah I know that fuck—

M: And between the door and between the door and the gate and the fucking wall, you know?

J: Yeah he kicked it in—

M: And I was afraid if I shot, at the mother fucker right next to you—

J: I've seen the bum going to court a couple of time and I really fucking wanted to get at him but they kept us separated, like a mother fucker.

M: Yeah, when the, when the bitch was talking like, and I said well, I laughed, and I'm like why do you think I'm going to court with the mother fucker. Do you think I'm going there for the fun of it. Or because I didn't shoot anybody or didn't get shot, or what the fucks her trip, I mean, you know.

J: The dude almost took the deal for 6 years.

M: Yeah?

J: Yeah. My guess is he's trying to fight it all the way.

M: So they're looking at more time for him?

J: Yeah.

M: Wow.

J: Yeah he's looking at a lot of time.

M: Well I hope, I hope that he's a piece of shit, you know. Something about him, cuz he's gonna get jumped because he has a longer criminal history than you do. (laughs)

J: Yeah your right, he's a piece of shit.

M: Yeah he's a total piece of shit. So, I, I don't give a fuck.

J: Yeah

M: And he shouldn't have been at the fucking door fucking with you, over somebody else's fucking bullshit. If you can't handle your own business, then what the fuck are you doing in somebody else, you know what I mean?

J: Yeah backing up some 6 foot 11 mother fucker. I mean come on dude that's bullshit. Had his own back (laughs).

M: Yeah he can't come back and handle his own business. Yeah he was a big enough mother fucker he could, yeah he was a little, deep delee, you know. Maybe come with your friends and lead the mother fucking shit.

J: No, he didn't.

M: You know. His ass should have been out front. He should have been the first mother fucker to the door with them behind him. Then maybe I'd give him a little respect. Maybe I'd just, I'll just let it go. But, na, na, na, na, no.

J: I remember seeing him in the casino and he pissed his pants on me..... (they continue laughing about the handicapped male and mocking him and discussing what they could or should have done to him in the casino)

19:15

M: I'll tell you what the piggy's don't like him.

J: Quinn?

M: No no, not Quinn, but the punk.

J: Oh I know.

M: The detective, the detective that keeps coming by and shit, they even fucking swabbed my mouth for DNA to see who really handled. I, I don't give a shit if they find out it was only me that touched the fucking gun. It doesn't matter.

J: Oh yeah.

M: I'll just say he was wearing gloves. Shit, you know what I mean.

J: Yeah.

M: I don't give a shit either way that mother fucker—

J: It's dinner time fo, I'll call, Hey get a hold of Carly for me will you, and tell her. You know just talk to her.

M: I will try and do it right now, as soon as we—

J: Okay. I love you fo, I gotta go.

M: Ok, buh bye.

This phone call was recorded by the GTL system. Investigator Bean copied the call and provided a copy to me. I copied this phone call onto a CD and made two copies, one for evidence and one for discovery purposes.

On 01/27/2017, the Lake County Investigative Grand Jury was convened. The Lake County Investigative Grand Jury subpoenaed Mr. Michael Arreaga. Mr. Michael Arreaga responded to his subpoena and arrived for testimony on 01/27/2017. Mr. Michael Arreaga was duly sworn in by the Grand Jury Foreman and was immediately questioned by Lake County Senior Deputy District Attorney (DDA) Ed Borg. DDA Borg questioned Mr. Michael Arreaga about the shooting incident on 04/18/2016. Mr. Michael Arreaga testified about the shooting incident and his testimony was consistent with the version that he had initially told Lake County Sheriff's Detectives. Mr. Michael Arreaga's testimony was also consistent with the version that he and his son Jason had concocted as captured on the jail phone call discovered by Investigator Bean. Mr. Michael Arreaga testified to the Grand Jury, amongst other things, that the perpetrator had gloves on his hands. As seen above, the Arreaga's conspired to add this lie to their scheme in the event investigators did not discover any other DNA on the rifle that was used by Mr. Michael Arreaga.

Mr. Michael Arreaga provided false testimony to the Grand Jury about every single component of this investigation including whether or not he had spoken to his son Jason about the investigation. Mr. Michael

Arreaga's testimony was captured via the certified court reporter – Denise Hansen. This testimony was provided via transcripts provided and certified by Ms. Hansen. A complete copy of these transcripts were placed onto a CD and two copies were made, one for evidence and one for discovery purposes. An excerpt from Mr. Michael Arreaga's testimony is provided below.

Lake County Investigative Grand Jury 01/27/2017 – Testimony of Mr. Michael Arreaga.

**** Excerpt- directly from Court Reporters Transcripts – Includes transcript page numbers 19-60.**

Call Michael Arreaga.

19 *(Michael Arreaga enters the room.)*

20 *(Thereupon the oath was administered.)*

21 *GRAND JURY FOREMAN: You are admonished to not*

22 *reveal to any person, except as directed by the court,*

23 *what questions were asked and what responses were given or*

24 *any other matters concerning the nature of the subject of*

25 *this grand jury investigation, which you learned during*

19

1 *your appearance before this grand jury, unless and until*

2 *the transcript of the grand jury proceeding is made*

3 *public. Violation of this admonishment is punishable by*

4 *contempt of court.*

5 *THE WITNESS: I can barely hear you. I'm sorry.*

6 *GRAND JURY FOREMAN: Should I do it again?*

7 *MR. BORG: Please.*

8 *GRAND JURY FOREMAN: You are admonished not to*

9 *reveal to any person, except as directed by the court,*

10 *what questions were asked and what responses were given,*

11 *or any other matters concerning the nature or subject of*

12 *the Grand Jury's investigation, which you learned during*
13 *your appearance during the Grand Jury, unless and until*
14 *such time as the transcript of the Grand Jury proceedings*
15 *is made public. Violation of this admonition is*
16 *punishable by contempt of court. Thank you.*

17 *Could you state your name?*

18 *THE WITNESS: What?*

19 *GRAND JURY FOREMAN: Can you state your name?*

20 *THE WITNESS: Michael Arreaga.*

21 *GRAND JURY FOREMAN: Thank you.*

22 *EXAMINATION BY MR. BORG*

23 *BY MR. BORG:*

24 *Q Can I ask you to spell your name?*

25 *A The whole thing?*

20

1 *Q Yes, please.*

2 *A M-I-C-H-A-E-L, A-N-T-H-O-N-Y, Arreaga is*

3 *A-R-R-E-A-G-A.*

4 *Q Thank you. This nice lady here is taking*

5 *everything down. So you have to respond verbally. You*

6 *can't just like shake your head or nod or anything like*

7 *that.*

8 *A Okay.*

9 *Q And if you slip up on that, then I'll remind*

10 *you. She has to write everything down. She can't record*

11 *nods or head shakes or so on.*

12 A Okay.

13 Q Michael, we are here to talk to you about

14 something that happened on April 18 in the year 2016, at

15 about 8:40 in the evening.

16 Do you remember that?

17 A Um, um, when, they came to the house and tried

18 to go in the house and I got shot. Is that what you're

19 talking about?

20 Q Yes.

21 A Okay.

22 Q Do you remember the date that that happened?

23 A It was probably April 6 or 7.

24 Q All right. So you don't have a clear memory of

25 the date?

21

1 A Um, I know it was probably about the first week

2 of April.

3 Q All right. So you're talking about an evening

4 when you ended up getting shot, correct?

5 A Uh-huh.

6 Q Is that the only time that you've ever been

7 shot?

8 A Um, no. When I was a young man. When I was

9 about 23 years old.

10 Q So since the time you were 23 years old. Can I

11 *ask you how old are you now?*

12 *A When that happened?*

13 *Q How old are you now?*

14 *A Fifty-five or fifty-six. I just turned --*

15 *Q Well, happy birthday.*

16 *A -- on January 9th.*

17 *Q So aside from the time you were 23, this is the*

18 *only other time that you have been shot?*

19 *A Uh-huh.*

20 *Q And that is a yes?*

21 *A And what?*

22 *Q Your response is a yes? That is the only time*

23 *that that happened?*

24 *A Yes.*

25 *Q It happened at your residence; is that correct?*

22

1 *A This one?*

2 *Q Yes.*

3 *A Definitely, yeah.*

4 *Q When you said "this one," you were pointing to*

5 *your leg?*

6 *A The other one is -- I think I still have the*

7 *scar, right here.*

8 *Q But you were shot in the leg at your residence*

9 *sometime in April of 2016?*

10 *A Uh-huh.*

11 Q Where is your residence?

12 A 6014 Highway 20 East.

13 Q And that is in the community of Lucerne?

14 A Yeah.

15 Q Can you tell us what happened?

16 A Boy, um, some people were yelling outside and I

17 opened the door to see and they said, "Let me in. I know

18 you have" -- what did they say -- a bunch of marijuana and

19 some pain medicine. And I said, "I think you got the

20 wrong house" and um --

21 Q So --

22 A They started pulling on the gate.

23 Q Let me stop you there.

24 A Okay.

25 Q We are going to go point by point.

23

1 A It's still really hard for me because I don't

2 really --

3 Q So your memories of this are vague, is that what

4 you are saying?

5 A Yeah. It's coming back to me now more than

6 before, but during the hospital stay and being at the care

7 center --

8 Q And during those periods --

9 A They were giving me three times as much pain

10 *medicine than I was usually taking and Dilantin every four*

11 *hours so I was --*

12 *Q Let me ask you this, Michael: Prior to being*

13 *shot in the leg in April, did you have mobility issues?*

14 *A Yes.*

15 *Q Can you tell us about them?*

16 *A Like I said before, about my hips went out, and*

17 *I practiced martial arts since I was a little kid and kind*

18 *of wore my hips out.*

19 *Q All right.*

20 *A So that was going to be next on my agenda, was*

21 *to have double hip replacement. But the right side is*

22 *worse than the left. I can still walk a little bit*

23 *before, with the aid of a walker or cane.*

24 *Q Did you use a wheelchair?*

25 *A No, not before this.*

24

1 *Q Did you have a wheelchair before this?*

2 *A Two of them, yes. This one and another one.*

3 *Q So you occasionally use a wheelchair?*

4 *A Well, if I have to go like longer than what,*

5 *like, 50 feet, then maybe, sometimes, if I want to go down*

6 *the street with my dog or do something, because I can't*

7 *keep on walking. I have to stop and rest, you know.*

8 *Q All right. So --*

9 *A Yeah. But the issue before was with my hips.*

10 *And I still haven't gotten a surgery done because of all*
11 *the stuff with my leg and all that.*

12 *Q By the stuff to your leg you mean the gunshot*
13 *wound that you received?*

14 *A Uh-huh.*

15 *Q Your answer was yes?*

16 *A I'm sorry. Say it again.*

17 *Q You haven't had surgery on your hips because of*
18 *the gunshot wound to your leg?*

19 *A Yeah. I'm still not able to walk at all. I'm*
20 *starting to use a walker a little bit now.*

21 *Q So we are going back to April --*

22 *A It hurts my knees, when I do.*

23 *Q Going back to April, the time you got shot in*
24 *the leg.*

25 *A Uh-huh.*

25

1 *Q Some people came to your house -- apartment,*
2 *correct?*

3 *A Yes.*

4 *Q And who else was there when this happened?*

5 *A My son, Jason was there.*

6 *Q And who initially opened the door?*

7 *A It was me, yeah.*

8 *Q All right. And did you recognize any of the*

9 *people that you saw outside?*

10 *A No.*

11 *Q All right. So you had some conversation with*

12 *those people?*

13 *A Lots of shouting back and forth.*

14 *Q What happened then?*

15 *A They were trying to pull the -- him and about*

16 *two other guys -- were trying to pull the gate -- there is*

17 *a security gate before the door and -- a little space in*

18 *between the -- where the door and the gate are, and they*

19 *were trying to pull the gate off the wall and screaming,*

20 *let me in. Let me in.*

21 *And they said get down on the ground. We know*

22 *you have whatever -- a bunch of marijuana and my pain*

23 *medicine as well.*

24 *Q All right. And where was Jason when you were at*

25 *the door?*

26

1 *A He was -- when I backed up, he was going past me*

2 *on the left-hand side, and when the left side of the gate*

3 *came open, he was kind of stuck in between that one side*

4 *of the gate and the wall there underneath the -- the porch*

5 *light, I guess you call it.*

6 *Q All right. You say you backed up. Where did*

7 *you go?*

8 *A I'm sorry?*

9 Q Did you say at some point you backed up?

10 A A little bit.

11 Q All right. How far back did you go?

12 A Probably about five feet, maybe, at that point.

13 Q And what happened after you went back about

14 five feet?

15 A He started fighting with one of the guys that

16 was trying to pull on the gate. Like it's, um -- it has

17 bars like this, so just reaching through the space on the

18 bars trying to push the guy away.

19 Q Who was reaching through the bars, Jason?

20 A Yeah -- I don't know. I couldn't see out. It

21 was dark, so it was out past, you know, whoever was up by

22 the door. They told me later --

23 Q That's okay.

24 A Okay.

25 Q We are just trying to get what you remember

27

1 about this incident.

2 Do you remember talking to a detective named

3 Jerry Fawn?

4 A Uh-huh.

5 Q That's a yes?

6 A Yes.

7 Q And do you remember telling Jerry Fawn that you

8 *were lying on your bed and Jason is the one that opened*

9 *the door?*

10 *A I don't really remember that, but if that is*

11 *what I said, that is what I said.*

12 *Q But you are telling us now that what happened is*

13 *you are the one that opened the door?*

14 *A Um, I thought I did, but --*

15 *Q That's fine.*

16 *A Yeah.*

17 *Q So at some point you backed up about five feet,*

18 *Jason was at the door, there were people at the door*

19 *trying to get in.*

20 *Is that fair to say?*

21 *A Yeah. The bed is back farther in the room now*

22 *than it was. Before it was closer to the door. But I was*

23 *already trying to get up off of the bed and -- God, um, I*

24 *thought in my mind that I did. After I pulled the door*

25 *open and he went further and then I moved back.*

28

1 *Q All right. So you moved back and you said you*

2 *moved back about five feet?*

3 *A From the inside of the door, yeah.*

4 *Q Where was the bed in relation to five feet from*

5 *the door?*

6 *A Um, probably about 10 feet away from the door.*

7 *So there was about three or four feet in between the end*

8 of the bed and where I was.

9 Q All right. And at some point did you go to the
10 bed?

11 A Yeah. I had to sit down and reach on the other
12 side of the bed, because I grabbed my rifle.

13 Q Right. Where was your rifle?

14 A It was on the -- if you're facing the end of it,
15 it was on the right side. And there was about -- the bed
16 went all the way up against the wall. There was about
17 two feet between the side of the bed and the wall.

18 And there was a shelf there that is now pushed
19 back, and the rifle was standing up covered, um, about --
20 closer to the end of the bed than the middle, I think, and
21 standing up.

22 Q All right. And how long have you had that
23 rifle?

24 A Probably about 10 years, I guess.

25 Q Can you describe the rifle?
29

1 A I'm sorry?

2 Q Can you describe the rifle?

3 A It's a 331 Chester.

4 Q It has a lever action?

5 A It is what they call a pre-64. It was made in
6 1956, I think. So it's pretty old.

7 *Q* And I just need to clarify. Your bed was -- if
8 I understood your testimony correctly, it was 10 or 15
9 feet away from the door at that point?

10 *A* Approximately.

11 *Q* All right. And it was against a wall?

12 *A* No. The bed was -- like I said, it was on the
13 right side of the room, as opposed to like the center.
14 Like I said, it's two feet from the wall, because I don't
15 like to push it up --

16 *Q* Fair enough.

17 *A* -- to get around it.

18 *Q* When you say the "right side," if you are
19 standing and you're facing the door --

20 *A* No. The other way around. If I'm facing
21 towards the back of the room and the foot of the bed is
22 here --

23 *Q* So the foot --

24 *A* And then the door is about whatever, 10 or so
25 feet.

30

1 *Q* So if you are at the door and you are looking
2 into the room the bed was on the right side?

3 *A* Uh-huh. Yes. I'm sorry.

4 *Q* That's all right.

5 And is the door more or less centered in the

6 wall?

7 A Yes. It's about in the middle.

8 Q Right. And the bed was about 10 or 15 feet on

9 the right side as you are facing into the room, about

10 two feet from the wall?

11 A Uh-huh. Yes.

12 Q And your rifle was standing up -- there is a

13 space about two feet between the bed and the wall and that

14 is where your rifle was?

15 A Yes.

16 Q And did you say it was covered?

17 A You know, to keep it from getting dusty I have a

18 towel on it.

19 Q All right. How was the towel on it? Can you

20 describe it?

21 A I think it was kind of gray in color.

22 Q Was the towel wrapped around it or just draped

23 over it?

24 A Semi-wrapped around it.

25 Q Okay. So you moved back towards the bed; is

31

1 that correct?

2 A Yes.

3 Q And was it your intent to get the rifle?

4 A Again. I'm sorry?

5 Q Did you move back towards the bed because you

6 *wanted to get the rifle?*

7 *A Yeah. I had to sit down sideways and reach*

8 *across to get it, because it was -- I didn't like to get*

9 *in between the wall and the bed, if I go on that side,*

10 *because I don't want to get stuck over there, I guess.*

11 *That is my thinking. So I sat down on the corner and*

12 *leaned across and grabbed it.*

13 *Q What happened after you grabbed the rifle?*

14 *A I put -- as fast as I could, put three shells in*

15 *it.*

16 *Q Where were the shells?*

17 *A On a shelf. Next to the bed there is a shelf*

18 *kind of almost to the middle, towards the head of the bed.*

19 *So I reached over and grabbed the container and*

20 *pulled them out and put them in the rifle and I was, um,*

21 *trying to get up.*

22 *Q What kind of container were the bullets in?*

23 *A I think it was a empty medicine bottle probably*

24 *about that tall and that big around, (indicating), I*

25 *guess.*

32

1 *Q All right. So you put a few rounds in the*

2 *rifle?*

3 *A Yes.*

4 *Q What happened then?*

5 *A Um, I was trying to – I guess I was trying to*

6 *point it before I got up, but I grabbed the walker with my*

7 *left hand and holding the rifle and got up.*

8 *Q And what happened then?*

9 *A I moved towards the door.*

10 *Q How far were you from the door when you stopped*

11 *moving?*

12 *A About halfway in between the bed and the door.*

13 *Q How far were you from the door? How many feet?*

14 *A After I got back up and took a few steps, I was*

15 *about five feet away from the door.*

16 *Q Where was Jason when this was happening?*

17 *A Still to the left of me and by the gate.*

18 *Q What did you do when you stopped moving?*

19 *A I'm sorry?*

20 *Q What did you do when you stopped moving? You*

21 *moved, you stopped moving. What happened next?*

22 *A That is when two of them came through the door.*

23 *Q Can you tell me about that? What happened?*

24 *A Um, the guy that came in first, came right to me*

25 *and started grabbing for the rifle.*

33

1 *Q Can you describe him?*

2 *A Um, about five foot eight, almost six foot*

3 *tall – because I'm six foot four. So probably came up to*

4 *my eyes in height. And um, short blond hair and a goatee.*

5 *Q What happened when he came in? What did he do?*

6 *A He came right for me.*

7 *Q Were you saying -- I'm sorry.*

8 *A Go ahead. Grabbed it -- I had it like this and*
9 *pushed the barrel up towards my head.*

10 *Q Were you saying anything when he came in?*

11 *A He just kept screaming, "Get down on the ground.*

12 *Get down on the ground."*

13 *Q Who were you screaming that to?*

14 *A What?*

15 *Q Were you screaming that to anyone specific?*

16 *A He looked right at me and said, "Get down on the*
17 *ground," and the guys outside were saying that to Jason as*
18 *well.*

19 *Q So the people outside were the ones who were*
20 *saying get down on the ground?*

21 *A Yeah. They were saying that before they came*
22 *through the door.*

23 *Q All right. Did you say anything?*

24 *A "What are you doing. Why are you doing this."*

25 *Um, "I think you got the wrong house. Why are you doing*
34

1 *it."*

2 *Q Did you say anything to Jason?*

3 *A "Get out of the way."*

4 *Q All right. Why did you say that to Jason?*

5 *A Um, because I was trying to -- I was intending*

6 *to point the gun at them when they came through the door*

7 *and tell them to get out. I really didn't have it my mind*

8 *that I was going to shoot anybody. I just wanted them to,*

9 *as a threat, to get back out of the house and stop doing*

10 *what they were doing.*

11 *I didn't know if they had weapons on them or*

12 *not, but when they screamed get on the ground, I assumed*

13 *that they had something to, um, get me to do that, you*

14 *know.*

15 *Q All right. So we are at the point where two of*

16 *them come in. You described one of them blond with a*

17 *goatee, and he came to you and grabbed the rifle; is that*

18 *right?*

19 *A Yeah. Pushed the barrel up --*

20 *Q All right.*

21 *A -- backwards.*

22 *Q Do you know what the other person was doing?*

23 *A No, because I was totally focused on him at that*

24 *time.*

25 *Q So he grabbed the rifle. What happened then?*

35

1 *A He was pushing it back towards me and I was*

2 *thinking in my head I didn't want the barrel in my face,*

3 *so I tried to turn it around so I could get the bottom of*

4 *it and pull it back, but his hand was caught in the loop*
5 *or the lever, and I had one hand on the barrel and was*
6 *pushing it, I guess right hand on the barrel, left hand*
7 *down lower.*

8 *Q Right.*

9 *A So I was trying to flip the barrel down by my*
10 *feet.*

11 *Q Where were your hands on the rifle?*

12 *A I was trying to, you know, pull the -- did I do*
13 *it with the right hand -- right hand on the barrel and*
14 *left hand trying to spin it the other way --*

15 *Q Right.*

16 *A -- because the barrel was going like that.*

17 *(Indicating).*

18 *Q What happened after you tried to do that?*

19 *A When the rifle went -- when the barrel was*
20 *pointing down, I was pushing it away so the barrel was*
21 *going like this, and the stock was out this way and his*
22 *hand was still caught in it so, bam, it went through my*
23 *leg and broke my tibia, I guess.*

24 *Q All right.*

25 *A My leg was sticking out that way and went*

36

1 *through my leg and the top of my foot.*

2 *Q Could you tell if -- you said his hand was*

3 *caught in the lever?*

4 *A Yeah.*

5 *Q You saw that?*

6 *A (Witness makes head gesture.)*

7 *Q That's a yes?*

8 *A Well, I say yes because when his hand was down*

9 *by the lever, my hands weren't by the trigger. So his*

10 *hand was down below it and he was going like that, trying*

11 *to get his hand pulled out. (indicating)*

12 *Q All right. And it's at that point that the*

13 *rifle went off?*

14 *A Yeah.*

15 *Q What happened after that?*

16 *A Um, I went down pretty fast. I tried to stand*

17 *back up, but my leg was sticking out and blood was pouring*

18 *out of my leg really fast. I think the guy, the last*

19 *thing he said was I'm glad that, you know, that I got him.*

20 *That is the last thing I heard, and then I dragged myself*

21 *back on the floor to -- I was going for the phone and then*

22 *I yelled to Jason -- I said, "Jason, get the phone. I*

23 *can't find the phone. It's on the bed." And I crawled*

24 *back towards the side of the bed and they were running*

25 *already away.*

37

1 *Q All right.*

2 *A And I heard sirens already at that point.*

3 *Q Let me ask you this: How long had Jason been*
4 *living with you?*

5 *A There or --*

6 *Q At that particular residence?*

7 *A Only about three months, I guess.*

8 *Q About three months?*

9 *A March, January, February, March, April -- I*
10 *think February.*

11 *Q Since February. All right. And essentially --*

12 *A So maybe more like four months.*

13 *Q It's essentially a one bedroom apartment?*

14 *A Three months, four months.*

15 *Q So three months, going on four months he has*
16 *been living there?*

17 *A Yeah.*

18 *Q It's essentially a one bedroom apartment? It's*
19 *like one room, like a studio?*

20 *A Well, there is a bedroom in the back and a*
21 *pretty large room in front, yeah.*

22 *Q All right. Who used the bedroom in the back?*

23 *A I don't think we used the room in the back.*

24 *Q So you both used the bed?*

25 *A Well, there was a box spring and a mattress and*
38

1 *then just a mattress.*

2 *Q So you used the bed with the box spring, and*

3 *that is the bed that you described?*

4 *A I think that is why he pushed the other bed up*

5 *and had just, um, because just -- if I slept on just the*

6 *mattress, it would be harder for me to stand up from that.*

7 *So I had the bed and the box spring and had some*

8 *big pillows underneath it to raise it up a little bit. I*

9 *think, if I remember, the neighbors had an extra bed*

10 *upstairs that we were intending to move down for him, and*

11 *I asked him if he wanted to get one of those inflatable*

12 *beds, because I saw one pretty cheap, but that never*

13 *happened.*

14 *Q So the big room in front, where you've described*

15 *as these events taking place, that is the room that you*

16 *and Jason primarily used?*

17 *A Yeah. We kind of split it in two, because we*

18 *had the extra box spring or whatever.*

19 *Q How often did you use the rifle?*

20 *A I'm sorry. What?*

21 *Q How often did you use the rifle?*

22 *A Not very often.*

23 *Q Okay. You didn't go out --*

24 *A It's more of a collectors thing than an actual,*

25 *you know, hunting or shooting targets or whatever. I*

39

1 *really didn't want to -- I was trying to preserve it.*

2 *Q I see. When did Jason become aware that you had*
3 *the rifle?*

4 *A He's known it for quite some time.*

5 *Q So he knew when he moved in with you that you*
6 *had the rifle?*

7 *A Yeah. Yes.*

8 *Q So he was aware of the rifle's presence in the*
9 *room?*

10 *A Yes.*

11 *Q Did he ever go for the rifle during this*
12 *incident?*

13 *A I'm sorry?*

14 *Q Did he ever go for the rifle during this*
15 *incident?*

16 *A No.*

17 *Q Did Jason arm himself, in any way, during this*
18 *incident?*

19 *A No.*

20 *Q He didn't have a knife or anything like that?*

21 *A I'm sorry. What?*

22 *Q He didn't have a knife?*

23 *A No.*

24 *Q Did you and Jason ever talk about your rifle?*

25 *A Yes.*

1 *Q* *Okay. After he moved in in February, did you*

2 *ever have any conversations with Jason about the rifle?*

3 *A* *Not really. When we previously -- I still had*

4 *the rifle in the other house that we lived in on*

5 *Delganado -- not Delganado, but Laurel Dell in Lucerne.*

6 *And probably about four years prior to that we went up on*

7 *what do they call it? Bear Hill and fired the rifle.*

8 *Q* *Okay. But he was aware, when he moved back in*

9 *in February, that you still had the rifle and that it was*

10 *in the room?*

11 *A* *Yes.*

12 *Q* *How do you know that he was aware of that?*

13 *A* *It was never a focus on it or anything like*

14 *that.*

15 *Q* *But it was in plain sight?*

16 *A* *It was what?*

17 *Q* *It was in plain sight.*

18 *A* *At this place that I'm in now, yeah.*

19 *Q* *Okay. And this place you are in now is the*

20 *place we are talking about where you got shot?*

21 *A* *Yeah. On Highway 20. 6014, yeah.*

22 *Q* *Do you recall what -- the blond guy with the*

23 *goatee who came in and struggled with you with the rifle,*

24 *do you recall what he was wearing?*

25 *A* *Jeans and a T-shirt.*

1 *Q Was he wearing anything else?*

2 *A Not that I remember.*

3 *Q No hat?*

4 *A I don't remember.*

5 *Q Was he wearing a jacket?*

6 *A You know, it happened so fast and I was on the*
7 *ground bleeding that I wasn't too focused on what he was*
8 *wearing. I was mostly looking at his arm and his face.*

9 *Q All right. Was he wearing anything on his*
10 *hands?*

11 *A I think so.*

12 *Q What do you think he was wearing on his hands?*

13 *A I guess he had gloves too, because he was*
14 *pulling on the gate.*

15 *Q All right. Did you tell --*

16 *A It looked kind of like work gloves.*

17 *Q Did you tell anyone about the gloves?*

18 *A What?*

19 *Q Did you tell anyone about the gloves?*

20 *A That is just popping in my head right now.*

21 *Q Okay.*

22 *A I'm sure he was wearing something on his hands*
23 *because when he was grabbing the rifle and I was going*
24 *back and forth with him, I believe he did have gloves on*
25 *his hands.*

42

1 Q And you say they were work gloves?

2 A Yeah. Like garden gloves with a pull on the
3 wrist.

4 Q So leather gloves?

5 A No. They were -- how do you say it? I guess
6 the fabric is like canvas and I think the fingers on the
7 back might be leather or were leather.

8 Q All right. So --

9 A Gray.

10 Q Gardening gloves with a pull to make them fit
11 better on the back of the hand?

12 A I just don't know.

13 Q Okay.

14 A That's a tough one, because I do remember that
15 he was wearing something on his hands.

16 Q All right. And you didn't --

17 A Because I saw him too -- there was a couple
18 other people trying to help him pull the gate, and when I
19 saw him right at the gate there was something on his
20 hands.

21 Q And you didn't previously tell -- you didn't
22 previously tell anyone about the gloves, any of the law
23 enforcement officers that you talked to?

24 A You know -- I think Jerry Fawn came out and

25 *talked to me a couple of times, but that is kind of vague.*

43

1 *I really don't -- because I was pretty out of it the whole*

2 *time I was at the hospital. I think he came and saw me in*

3 *the hospital and the care center. I don't know. Maybe*

4 *that was you?*

5 *Q I came and saw you.*

6 *A I was really foggy. Just a couple of months ago*

7 *I was able to sit up and talk and walk a little bit, but,*

8 *I lost my -- what do you call it -- I guess I had a mini*

9 *stroke while I was in the hospital and lost my ability to*

10 *speak and write and everything then.*

11 *Q Okay.*

12 *A About 10 days after that, I sat up screaming and*

13 *something was wrong with me and I started using*

14 *profanities. That is how it came back.*

15 *Q All right.*

16 *A I was uncomfortable with something -- and I*

17 *don't know. I started screaming and I went, hey, I'm*

18 *talking. Bad words, anyway.*

19 *Q Great. Have you talked to Jason about this*

20 *incident?*

21 *A Not really. He came to visit me at the care*

22 *center in Petaluma and brought my dog to see me and had a*

23 *friend with him, but we didn't really talk about what*

24 *happened.*

25 Q All right. Have --

44

1 *A I don't remember talking about -- he was just*
2 *bringing me clothes because I didn't have any clothes to*
3 *wear and what -- he wanted -- like asking me what to do,*
4 *you know, what can I do or what to, you know, what he*
5 *wanted me to do or -- stuff from home, pay rent and stuff*
6 *like that.*

7 *Q So --*

8 *A We really didn't talk about that night. I*
9 *talked to him on the phone from jail, but he didn't -- we*
10 *haven't really talked about it.*

11 *Q And Jason, to be candid, has been in custody for*
12 *a few months; is that correct?*

13 *A Is what?*

14 *Q Jason has been in custody at the jail --*

15 *A Yeah, since July, I guess.*

16 *Q And so on one occasion when you were in the care*
17 *home that was the care home in Petaluma; is that correct?*

18 *A I'm sorry. Say it again.*

19 *Q So you were in a care home in Petaluma for some*
20 *period of time?*

21 *A The Windsor Care Center.*

22 *Q Yes, whatever it's called. But you were in some*
23 *sort of facility in Petaluma recovering from your injury;*
24 *is that correct?*

25 *A* *Yes.*

45

1 *Q* *How long were you there?*

2 *A* *Probably about two months, I guess, from the*
3 *entire time that I was -- from April until August.*

4 *Q* *And at some point Jason was able to visit you*
5 *while you were in the care home?*

6 *A* *Yes.*

7 *Q* *And you had some very brief conversation about*
8 *the incident at that time?*

9 *A* *It was right before he got arrested and then --*
10 *that's why I had to leave the care center because, you*
11 *know, there was nobody to take care of my dog or pay rent*
12 *where we were living and all that.*

13 *Q* *Okay.*

14 *A* *I had to leave early because they wanted me to*
15 *stay at least another four months there.*

16 *Q* *Since then you have talked to him a few times on*
17 *the phone while he's been in jail?*

18 *A* *Yeah. Even that day, when he came to visit me,*
19 *we didn't really discuss details in any length about what*
20 *happened.*

21 *Q* *Right. And in the phone calls you've had*
22 *you've -- you've talked about this incident with him?*

23 *A* *Just about how am I getting along with it. Is*

24 *it getting better. This and that. Just my injury.*

25 *Q So you haven't talked about the details of the*
46

1 *incident?*

2 *A No. I just don't think that we were -- the*
3 *times that we talked on the phone or the time that he came*
4 *to visit me, we weren't really -- that wasn't the main*
5 *focus. There was lots of stuff that was going on. One of*
6 *my German Shepherds got killed when I was in the hospital.*
7 *So I think that is what we were talking about mostly.*

8 *Q And the phone number, when you talked to Jason,*
9 *the phone number you used was area code (707) 262-2718?*

10 *A Yeah. That is my cellphone.*

11 *Q And that is the phone that you used to talk to*
12 *Jason when he was in jail?*

13 *A Yeah. He had the phone for a couple of months*
14 *before I got out and we got him another phone and got my*
15 *phone back, because he was holding onto it for me while I*
16 *was in the hospital.*

17 *Q All right.*

18 *A I think he brought it to me the day that he came*
19 *to visit me with my dog.*

20 *Q So you never talked about the details about the*
21 *incident with Jason during any of these phone calls?*

22 *A Not in depth, no.*

23 gun?

24 Q You never had a conversation with Jason where
25 you talked about the DNA coming back and you were the only
48

1 one that touched the gun?

2 A I never talked about anything coming back from
3 DNA. I remember that -- I think it was Jerry Fawn, the
4 detective that came by and asked me to do a swab for DNA,
5 but I didn't hear anything after that.

6 Q You didn't talk to Jason about that at all?

7 A He was already in custody, so not on the phone.

8 Q All right. You never talked to Jason about the
9 fact that you gave a DNA sample?

10 A I don't recall that I did talk about it with
11 him.

12 Q And you don't recall -- you did not -- strike
13 that.

14 You did not talk to Jason about the fact that
15 the DNA results would show that you were the only person
16 that touched the gun?

17 A (Witness makes head gesture.)

18 Q That's a no?

19 A No.

20 Q So you never said that to Jason?

21 A I don't recall. I really don't recall that.

22 Q Do you recall telling Jason that if the DNA came
23 back showing that you were the only one that touched the
24 gun that you would just say --

25 A No. Like I said, he was in jail and didn't know
49

1 anything about him coming by and testing me for DNA.

2 Q You don't recall -- strike that.

3 So you never told Jason that if the DNA results
4 showed that you were the only person that touched the gun
5 you would just say that the other guy was wearing gloves?
6 You never said that?

7 A No.

8 Q Michael, we have a recording we are going to
9 play, and we are going to ask you to listen to it and then
10 we are going to have some questions after that. Okay?

11 A (Witness makes head gesture.)

12 Q Thank you.

13 (Audio played.)

14 BY MR. BORG:

15 Q Michael, just for the record, the two people who
16 were on that recording were you and Jason?

17 A Yes.

18 Q And that was a phone call that happened when
19 Jason was in jail?

20 A Okay.

21 Q Do you remember that?

22 *A* I do now, yeah.

23 *Q* Do you know when that phone call happened?

24 *A* Um, that was after I talked to my sister and I

25 haven't seen her in years.

50

1 *Q* Do you recall when the phone call happened?

2 *A* That was probably sometime between July and

3 August.

4 *Q* So in that phone call, you discussed with Jason

5 the incident in April when you got shot in some detail?

6 *A* Apparently, so, yeah.

7 *Q* So that is definitely what you told us before?

8 *A* Yes.

9 *Q* And in that phone call, at least three times,

10 you say "I shot myself in the leg"?

11 *A* Yeah, the same thing I said here.

12 *Q* So you are saying --

13 *A* I guess if you want to look at it that way,

14 because we were both, um, going back and forth with it.

15 *Q* All right. And you talk about how part of you

16 wants to say, "okay. I shot myself, let him go," but --

17 because you are not a snitch, but you didn't do that; is

18 that right?

19 *A* It could have been that -- you know, in my mind,

20 it was -- it was either -- how the gun went off, it's

21 *either him or me because I didn't really --*

22 *Q But you later told Michael -- pardon me. You're*

23 *Michael.*

24 *You later told Jason that when the DNA came back*

25 *to see who really handled the gun, it was going to show*

51

1 that you were the only one that touched the gun and that

2 you were going to lie and say that he wore gloves?

3 *A I didn't say I was going to lie, because when he*

4 *was pulling on the gate. Now --*

5 *Q What you said --*

6 *A I'm assuming that he's still wearing the gloves*

7 *because he had gloves on to pull the gate --*

8 *Q What you said was --*

9 *A But not about the gate.*

10 *Q What you said was, "I'll just say he was wearing*

11 *gloves." So that doesn't sound like you are describing*

12 *something that happened. That sounds like you are coming*

13 *up with a story to explain the discrepancy in the*

14 *evidence?*

15 *A I don't -- I don't -- it's not -- I just*

16 *really -- part of it is me not remembering what happened*

17 *and -- while all the stuff was going on, it was hard for*

18 *me to remember, but I didn't say it like -- I didn't come*

19 *outright and say he didn't have anything to do with me*

20 *holding onto the gun or if he was trying to get it from me*

21 *and all that.*

22 *Q You discussed in this conversation --*

23 *A See --*

24 *Q In this conversation?*

25 *A This is --*

52

1 *Q I'm asking the questions now, Michael.*

2 *A Okay. Okay.*

3 *Q In this conversation with Jason you talk about,*

4 *"The story I told was I was struggling back and forth and*

5 *he had his hands in it. So there you go. And, I mean,*

6 *that is the version that, you know, just me and you, uh,*

7 *decided to tell them. That you told the same story that I*

8 *did."*

9 *So, in other words, you're saying to Jason that*

10 *you two concocted this story. That is what it sounds like*

11 *to me.*

12 *A Well, it's not.*

13 *Q That is not what happened?*

14 *A If you listen to it --*

15 *Q I did listen --*

16 *A It's me going back and forth and saying, you*

17 *know, if there is any doubt, then I would be willing to,*

18 *like, testify and tell them whatever I could to make it --*

19 *because we're not really sure. Like, you know ...*

20 Q When you say "we're not really sure," you are

21 saying you are not really sure what happened?

22 A No. I know what happened, but I don't remember
23 details.

24 Q But you told us --

25 A Like I told you when I first sat down here,
53

1 it's --

2 Q You told us pretty explicit details, but now
3 you're telling us that you don't remember these things
4 happening?

5 A No, it's just that the details of it, where my
6 hands were, where I was standing, where I laid down,
7 really -- when they pulled me out of there it was like --
8 I didn't really -- it took me talking to Jerry Fawn about
9 it to get it out of me, you know, I was like, wow, you
10 know. I couldn't remember anything. He was like helping
11 me.

12 Q Based on this conversation, the only reasonable
13 inference from this conversation is that you and Jason
14 concocted a story between you to explain what happened.

15 A I was talking about what my sister said, that I
16 shot myself.

17 Q But you admitted three times --

18 A She came up with it and -- If I talked to
19 anybody else, I would definitely tell a different story.

20 *Because I don't know where she got her information. She*

21 *was --*

22 *Q Michael --*

23 *A She wasn't talking to anyone.*

24 *Q Michael. I have a concern because in that*

25 *conversation you indicated that you were willing to lie*

54

1 *when you said, "It could be on camera and I would just say*

2 *that's not me." You said that a couple of times. You*

3 *said, "I'll just say he wore gloves." "I shot myself in*

4 *the leg."*

5 *You are saying all these things that make it*

6 *sound like everything that you told the police was a lie?*

7 *A Yeah, but when I said, "Oh, I shot myself in the*

8 *leg," I was commenting to him on what she said to me. She*

9 *wasn't there.*

10 *Q Do you understand why we have concerns about*

11 *your credibility?*

12 *A Yeah, when I listen to that, it's like, wow.*

13 *Q And not the least because you told us that you*

14 *never talked to Jason about this stuff and all of a*

15 *sudden --*

16 *A That wasn't our main focus. We were talking*

17 *about other things as well. And I know that as soon as I*

18 *heard about -- as soon as I heard the conversation about*

19 *what my sister had said, then, yeah, now I remember.*

20 *Q Right. And so --*

21 *A And I'm not denying that. I'm telling you I*

22 *said all that but --*

23 *Q Yeah. You denied it before. That's fine.*

24 *A Okay.*

25 *Q Michael, so right now you have no clear memory*
55

1 *that Mr. Bryant, the blond guy with the goatee, you have*

2 *no clear memory that he touched the rifle?*

3 *A Clear memory that I touched the rifle?*

4 *Q No. That Mr. Bryant touched the rifle?*

5 *A He came at me and tried to grab it.*

6 *Q Isn't it true that he never actually got inside*
7 *the residence?*

8 *A He went through the door.*

9 *Q All right.*

10 *A Pulled the gate off of the building and the left*
11 *side of the gate was open and Jason was stuck in between*
12 *the gate and the wall.*

13 *Q All right.*

14 *A And two of them came by -- came right past who*
15 *he was tussling with, whatever you want to say.*

16 *Q Did Mr. Bryant --*

17 *A He got right about five feet inside the door.*

18 *Q Did Mr. Bryant touch the rifle?*

19 A He was trying to get the rifle from my hands.

20 Q Did Mr. Bryant touch the rifle?

21 A Yes.

22 Q All right.

23 A Definitely.

24 Q And why did you indicate a willingness to lie

25 about him wearing gloves?

56

1 A Because of what my sister said. I was saying --

2 going to tell her, because I don't want her to talk to him

3 or anybody else about it when she's 300 miles away and has

4 never talked to anybody up here but Jason on the phone

5 from jail.

6 Q So you were only going to lie to your sister

7 about Mr. Bryant wearing gloves?

8 A I'm not lying about anything. I told him

9 exactly -- you know, what I discussed with the detectives

10 and what I discussed with her. I never said anything to

11 her about it at all.

12 Q But you were willing to lie --

13 A So if it --

14 Q Michael-

15 A Not in a courtroom.

16 Q Michael --

17 A Not with police or anything else.

18 Q Michael --

19 A Because my sister is telling me something

20 that -- the detectives told me that there were eight

21 people outside. She's said there is one. She said, well

22 he shot -- I shot myself and this la, la, la. This and

23 that. I'm saying that is not --

24 Q All right. So you are saying --

25 A That's not okay. Why does she know more about

57

1 it than me.

2 Q That's fine, Michael.

3 You're saying that when you told Jason that you

4 were willing to lie about Bryant wearing gloves you were

5 only going to lie to your sister?

6 A It wasn't -- it -- it's because of what my

7 sister said. I was pretty upset about that. Yes, and the

8 next time I told her, after I talked to him -- because I

9 wanted to tell him or ask him that, what she said.

10 Q So you were willing to lie to your sister about

11 Bryant wearing gloves. That is what you told Jason?

12 A It wasn't -- I don't think I ever did talk to

13 her again and say anything about it after that.

14 Q But what you were telling Jason in this

15 conversation, was that you were willing to lie to her

16 about Mr. Bryant wearing groves?

17 A No. See, I'm not -- I wasn't saying it like I'm

18 willing to lie, all the way down to lie in a courtroom and
19 be sworn in and everything like that. It's because of
20 what my sister said. That's it. And if I talked to her
21 again, I would tell her, look, you got the story all
22 wrong.

23 Q But what you said to Jason was, "I don't give a
24 shit if they find out it was only me that touched the
25 fucking gun. It doesn't matter. I'll just say he was
58
1 wearing gloves."

2 A If I did ...

3 Q If you did what?

4 A Whether I did or not, it was him or me.

5 Q So you believe --

6 A My hands were right down there with his.

7 Q Okay.

8 A So, yeah, that is what I was saying, you could
9 have looked -- it could have been me or him.

10 Q Thank you, Michael. I don't actually have any
11 more questions for you.

12 A Okay.

13 Members of the Jury, does anyone have any
14 questions?

15 MR. BORG: No questions.

16 MR. ANDERSON: Thank you, Michael, for coming
17 in. I appreciate your time. The foreman has an

18 *admonishment to read to you.*

19 *GRAND JURY FOREMAN: Before you leave, Michael,*

20 *you are reminded that you are admonished not to reveal to*

21 *any person, except as directed by the Court, what*

22 *questions, what responses were given in any of these*

23 *matters concerning the nature or subject of the Grand*

24 *Jury's investigation, which you learned during your*

25 *appearance today before this Grand Jury, unless and until*
59

1 *such time this transcript of this proceeding is made*

2 *public. A violation of the admonition is punishable by*

3 *contempt of court. Just so you know, what is said in*

4 *here, stays in here. Thank you.*

5 *THE WITNESS: Okay.*

6 *MR. ANDERSON: You're excused.*

Agencies Involved:

1. Lake County District Attorney's Office – Case # DAI 17-051/ DAI 17-010
Bureau of Investigations
255 N. Forbes St.
Lakeport, CA 95453
(707) 263-2551
Case # DAI 17-051
2. Lake County Sheriff's Department – Case #'s - C16040227/ #16070049
1220 Martin Street
P.O. Box 489
Lakeport, CA 95453
(707) 262-4200

Attachments:

1. Lake County District Attorney Investigator Martina Bean Supplemental Report #17-010
2. Lake County Sheriff's Department report number # C16040227

Analysis:

Based upon this investigation, it appears true beyond a reasonable doubt that Mr. Michael Arreaga willfully and intentionally violated California Penal Code Section 118– Perjury- A Felony. This can be established and proven by the following: Mr. Arreaga had a phone conversation with his son, Jason Arreaga who was an inmate at the Lake County Sheriff Department Detention Facility. This conversation was recorded and reviewed. During this conversation, both Arreaga's speak about particular details of the shooting on 04/18/2016. Both Arreaga's speak about their "true" version of the events. Both Arreaga's speak about what they will testify to in court. The version of the events spoken of by the Arreaga's on the recorded jail phone line was quite different then the version given by the Arreaga's during the criminal investigation.

Mr. Arreaga was subpoenaed before the Lake County Investigative Grand Jury. During his testimony before the Grand Jury, Mr. Arreaga gave a version of the events that was similar to the version he gave to sheriff department criminal investigators at the time of the incident. Mr. Arreaga was confronted with the audio recording between him and his son and could not give a viable explanation as to the discrepancies. Mr. Arreaga perjured himself multiple times in representing material facts as being true when he knew at the time he provided testimony to the Grand Jury that those material facts were false. There are countless lies told by Mr. Michael Arreaga during the Grand Jury proceedings that can be proven as lies due to Mr. Arreaga's own words during his phone conversation with his son.

Based upon this investigation, it appears true beyond a reasonable doubt that Mr. Michael Arreaga willfully and intentionally violated California Penal Code Section 148.5 (a) – Filing a false police report. This can be established by the following: Mr. Arreaga was involved in a shooting incident on 04/18/2016 during which he was shot in the right leg suffering a significant life altering injury. Immediately thereafter, he telephoned the Lake County Sheriff's Department and reported the incident. The statement provided by Mr. Arreaga to law enforcement ultimately led to the wrongful arrest of Mr. Jeremy Bryant for the crime of 664/187PC – Attempted Murder. This false statement to police officers was proven to be false by way of a recorded jail phone call between Mr. Michael Arreaga and his incarcerated son Jason Arreaga. During this recorded and preserved phone call, Mr. Arreaga makes several statements that indicate his version of the events to law enforcement was false. Mr. Arreaga perpetuates this falsehood during this phone call by conspiring with his son to falsify his statement in the future if any further inquiry was made by law enforcement. Mr. Arreaga also provided this same false information to the Lake County Investigative Grand Jury on 01/27/2017 as detailed in the above narrative.

Recommendation:

I recommend this report and all attachments be submitted to the Lake County District Attorney's Office for filing and prosecution of the above listed charges.

Attachment # 2



LAKE COUNTY SHERIFF'S OFFICE

1220 MARTIN STREET LAKEPORT, CA 95453 707 262 4200
CRIME REPORT

Page 1

Case
C16040227Ed
161714

OFFENSES

Offenses	Description	Fel/Misd	Date Occurred	Time Occurred	Incident #
664 /211 PC	ATTEMPTED ROBBERY	Felony	04/18/16-04/18/16	2030 - 2040	1604180135
245 (A)(2) PC	ASSLT WITH FIREARM ON PERSON	Felony			
459 PC	BURGLARY FIRST DEGREE	Felony			

Date Reported	Time Reported
04/18/2016	2040

Related Cases

Date Printed	Time Printed	Printed By
04/19/2016	16:41:03	LRR

Latitude	Longitude
39.054390	-122.938590

Location	Beat	Area	Disposition	Dispo Date
Residence, 6014 E State Hwy 20 #B, Lucerne, CA 95458	3D	3D	Cited By Adult Arrest	

Location Type	Location of Entry	Method of Entry	Point of Entry	Alarm System	Means of Attack (Robbery)
House	Front	Body Force	Double Swing Door	NONE	Firearm

Victim	Drivers License	Cell Phone	Email
Arceaga, Jason Michael	CA		
Residence Address	Notified of Victim Rights	Residence Phone	DOB
95458 --- Lucerne, CA 95458	No	707	0
Business Name and Address		Business Phone	Height
Disabled			6'4"
Assistance Rendered/Victim Disposition		Transporting Agency	Wt
Refused Aid			290
Description of Injuries		Means of Attack (Assaults)	Hair
None		Simple, Little or No Injury	BRO
		Other Information	Eyes
			BRO

Witness	Drivers License	Cell Phone	Email
McKee, Kecaira		707-4	
Residence Address		Residence Phone	DOB
Lucerne, CA 95458		831	0
Business Name and Address		Business Phone	Age
			19
		Height	Sex
			F
		Wt	Race
			W
		Hair	Eyes
		BRO	HAZ

Suspect Arrested	Action Taken	Charges
Bryant, Jeremy Lee	BOOKING	245 (A)(2) PC, 459 PC, 664 /211 PC
Residence Address	Residence Phone	DOB
216 Pine St, Red Bluff, CA 96080 --- Same		
Business Name and Address	Business Phone	Age
Station Harley Shop, Lucerne, CA 95458		175
Identifying Features Tattoos: LFT LEG SYMOLS, BARBED WIRE, LEFT	Height	Hair
HAND MIDDLE FINGER BLON Speech: Clear Build: Average Complexion: Clear Facial Hair: Fumancu	6'1"	BLN
	Cell Phone	Eyes
	Drivers License	HAZ
	B4229659 CA	Arrest Number
		62057

Aliases
Jeremy Bryant

Status	Vehicle Make and Model	License/State	Vehicle Type

Prepared By	Date	Assisted By	Approved By	Date
S0551 - Alvear, Armando	04/18/2016	S0409 - Barreto, Mauricio		

Routed To	Date	Routed To	Date	Notes

RECEIVED

APR 19 2016

LAKE COUNTY
DISTRICT ATTORNEY

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LA COUNTY SHERIFF'S OFFICE

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1220 MARTIN STREET LAKEPORT, CA 95453 707 262 4200
CRIME REPORTCase
C16040227

Victim Arraga, Michael Anthony	Drivers License [REDACTED]	Cell Phone	Email			
Residence Address [REDACTED] Lucerne, CA 95458	Notified of Victim Rights No	Residence Phone 707 [REDACTED]	DOB [REDACTED]	Age 55	Sex M	Race W
Business Name and Address		Business Phone	Height	Wt	Hair	Eyes
Assistance Rendered/Victim Disposition Taken To Hospital		Transporting Agency helicopter	Means of Attack (Assaults) Firearm			
Description of Injuries Other Major Injury	Other Information					
Reporting Party Vollmer, Paola	Drivers License	Cell Phone	Email			
Residence Address [REDACTED] Lucerne, CA 95458		Residence Phone 7 [REDACTED]	DOB [REDACTED]	Age 33	Sex F	Race H
Business Name and Address		Business Phone	Height 5'8"	Wt 160	Hair BRO	Eyes BRO
Witness Murphy, Jason Patrick	Drivers License F3311646	Cell Phone	Email			
Residence Address [REDACTED] Lucerne, CA 95458		Residence Phone 707 [REDACTED]	DOB [REDACTED]	Age 22	Sex M	Race W
Business Name and Address		Business Phone	Height 5'11"	Wt 140	Hair BRO	Eyes HAZ
Mentioned Adams, Patti Lynn	Drivers License [REDACTED] CA	Cell Phone	Email			
Residence Address [REDACTED] Lucerne, CA 95458 --- PO Box 848, Lucerne		Residence Phone 707 [REDACTED]	DOB [REDACTED]	Age 56	Sex F	Race W
Business Name and Address Disabled		Business Phone	Height 5'3"	Wt 115	Hair BLN	Eyes GRN
Mentioned Buchholz, Greg CHP #17300	Drivers License	Cell Phone	Email			
Residence Address California Highway Patrol, Kelseyville, CA 95451		Residence Phone	DOB	Age	Sex M	Race W
Business Name and Address		Business Phone	Height	Wt	Hair	Eyes
Mentioned Cheung, Hogan	Drivers License A3533316 CA	Cell Phone	Email			
Residence Address [REDACTED] Lucerne, CA 95458		Residence Phone 707 [REDACTED]	DOB [REDACTED]	Age 44	Sex M	Race P
Business Name and Address		Business Phone	Height 5'7"	Wt 170	Hair BLK	Eyes BRO
Mentioned Cox, Yvonne Diane	Drivers License [REDACTED]	Cell Phone	Email			
Residence Address [REDACTED] Lucerne, CA 95454		Residence Phone 707 [REDACTED]	DOB [REDACTED]	Age 56	Sex F	Race W
Business Name and Address		Business Phone	Height 5'4"	Wt 130	Hair BRO	Eyes GRN

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LAKEPORT COUNTY SHERIFF'S OFFICE

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1220 MARTIN STREET LAKEPORT, CA 95453 707 262 4200
CRIME REPORTCase
C16040227

Mentioned Eastham, Joe (LPD)	Drivers License	Cell Phone	Email			
Residence Address [REDACTED] Lakeport, CA	Residence Phone 707 [REDACTED]	DOB [REDACTED]	Age M	Sex M	Race W	
Business Name and Address	Business Phone	Height	Wt	Hair BRO	Eyes GRN	
Mentioned Flaherty, Judy	Drivers License	Cell Phone	Email			
Residence Address [REDACTED] State Hwy 20 #B, Lucerne, CA 95458	Residence Phone 707 [REDACTED]	DOB [REDACTED]	Age 59	Sex M	Race W	
Business Name and Address	Business Phone	Height 5'9"	Wt 180	Hair BLN	Eyes GRN	
Mentioned Lydon, Peggy Lou	Drivers License	Cell Phone 707 [REDACTED]	Email			
Residence Address [REDACTED] Av, Lucerne, CA 95458	Residence Phone	DOB	Age	Sex F	Race	
Business Name and Address	Business Phone	Height	Wt	Hair	Eyes	
Mentioned Thayer, Gregory Wayne	Drivers License	Cell Phone 707 [REDACTED]	Email			
Residence Address [REDACTED] Av. Lucerne, CA 95453	Residence Phone 707-3 [REDACTED]	DOB [REDACTED]	Age 47	Sex M	Race W	
Business Name and Address Disabled	Business Phone	Height 5'8"	Wt 165	Hair WHI	Eyes BRO	
Mentioned Trouette, Tyler LPD	Drivers License	Cell Phone	Email			
Residence Address [REDACTED] Lakeport, CA 95453	Residence Phone 707 [REDACTED]	DOB	Age	Sex M	Race	
Business Name and Address	Business Phone	Height	Wt	Hair	Eyes	
Mentioned Vollmer, Eric	Drivers License	Cell Phone	Email			
Residence Address [REDACTED] Hwy 20, Lucerne, CA 95458	Residence Phone 70 [REDACTED]	DOB [REDACTED]	Age 43	Sex M	Race W	
Business Name and Address	Business Phone	Height 5'9"	Wt 200	Hair BRO	Eyes GRN	



LA COUNTY SHERIFF'S OFFICE

1220 MARTIN STREET LAKEPORT, CA 95453 707 262 4200
CRIME REPORT - PROPERTY

Page 4

C16040227

ID No.	Status/Disposition	Property Description	Value	Val Recovered
1	Evidence	1 Verbatim Dvd - ONE VERBATIM DVD DISC - SURVEILLANCE VIDEO		
2	Evidence	2 Cotton Swab - SWAB OF BRYANT'S HANDS		
3	Evidence	1 Control Swab		
4	Evidence	1 Winchester 30-30 Cartridge - EXPENDED CARTRIDGE		
5	Evidence	3 Winchester 30-30 Live Rounds		
6	Evidence	1 Xxl Black Cruz T-Shirt		
7	Evidence	1 Large Black Fruit Of Loom Tank Top		
8	Evidence	1 Medium Black Jockey Underwear		
9	Evidence	1 36X34 Blue Rustler Blue Jeans		
10	Evidence	1 Green Belt		
11	Evidence	1 White Ankle Sock		
12	Evidence	1 White Ankle Sock		
13	Evidence	1 12M White Athletech Left Shoe		
14	Evidence	1 12M White Athletech Right Shoe		
15	Evidence	1 30 Cal Brown & Black Winchester 94 30-30 Rifle (3167097)		

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**LAKE COUNTY SHERIFF'S OFFICE**

1220 MARTIN STREET LAKEPORT, CA 95453 707 262 4200

NARRATIVE

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RSO 218 with an inactive MAV (DV1)**ATTACHMENTS:**

Bryant CDL
Bryant CII
Photo Line-up with Simmons Admonition (Arreaga)
Photo Line-up with Simmons Admonition (Thayer)
Photo Line-up Six Pack (Page 1)
Photo Line-up Six Pack (Page 2)
Audio Disc with Statements

NARRATIVE:

On 04/18/2016 at approximately 2041 hours, Deputy Barreto and I were dispatched to 6010 East State Highway 20, in Lucerne, to investigate a report of shots fired in the area. Approximately one (1) minute later, Central Dispatch advised there was a victim located at 6014 East State Highway 20 with a gunshot wound to the leg. Deputy Barreto and I activated our emergency lights/sirens and proceeded "Code 3." We arrived on scene at approximately 2044 hours, and were flagged down by Jason Michael Arreaga, who lives at 6014 B East State Highway 20 with his father, Michael Anthony Arreaga.

Jason told me his father suffered a gunshot wound to the leg and a white male adult named "Jeremy" was involved. Jason described "Jeremy" as a white male adult with blonde hair and a goatee. Upon entering the residence, I saw Michael laying on the floor towards the rear of the residence, approximately thirty-five (35) feet from the front door, with a severe injury to his lower right leg. Based on the injury sustained by Michael, Air Transport was requested. I also located a rifle on the bed next to Michael, I photographed the position of the rifle and moved it for safety.

Michael told me the following, in summary: The rifle he was shot with belongs to him. He told me "they" were coming through the door and he grabbed his gun, located next to his bed, to "help his son." He said "they" kicked the security gate open. He told me was able to chamber a round by using the lever action and as he raised the rifle, "There was someone there." He told me he struggled with someone and the gun discharged, hitting him in the right leg. He described the man that struggled with him as blonde with a goatee. Michael then stated he didn't want to answer any more questions because he was in extreme pain. Emergency Medical Personnel from Medic 8511 arrived on scene and began life saving measures.

I then briefly contacted Jason, who told me the following, in summary: He told me "they" kicked in the iron security gate and opened the front door. According to Jason, multiple people entered the residence and a few pushed past him. He stated not knowing why they were there or what they were saying.

Based on the descriptions provided by Michael and Jason of the white male adult, I suspected the primary suspect might be Jeremy Lee Bryant, whom I know from previous Law Enforcement contacts. Please refer to case number 16040157 for further information regarding Bryant as a suspect of a battery that occurred in Alpine Park on 04/12/2016.

Prepared By:

S0551 ALVEAR, ARMANDO

Date:

04/19/2016

Approved By:

S0128 WARD, RICHARD

Date:

04/19/2016

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**LAKE COUNTY SHERIFF'S OFFICE**

1220 MARTIN STREET LAKEPORT, CA 95453 707 262 4200

NARRATIVE

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I took several digital photographs of the victims and scene. Those digital photographs were later incorporated into this report.

Sergeant Davis, Lakeport Police Department Officers Trouette and Eastham, and CHP Officer Buchholz arrived on scene to assist.

Deputy Barreto and I secured the scene and began processing evidence. We recovered the rifle, a Winchester Model 94 30-30, and cleared it for safety. The rifle had one empty cartridge in the chamber and three (3) live rounds of Super Speed 30-30 Winchester rounds. I then recovered the articles of clothing cut off of Michael by emergency medical personnel. All items collected at the scene were later booked into evidence at the LCSO Main Office.

I then contacted Patti Lynn Adams and Peggy Lou Lydon at the corner of Second Avenue and East State Highway 20, in Lucerne. I asked them if they saw anything and they told me the following, in summary: They are sisters and were sitting on Peggy's porch located at 6015 First Avenue, in Lucerne. They stated they heard a weird noise that sounded, "Like a car crash," then heard two people "hot-footing it" past their address on First Avenue. They were unable to clearly see either of the people running but said it sounded like a male and a female.

I then contacted Gregory Wayne Thayer at the opposite corner of Second Avenue and East State Highway 20, in Lucerne. Thayer told me the following, in summary: He told me he was sitting at a bench on the pier at Alpine Park. Approximately an hour ago, two men whom he described as an Indian male adult and a white male adult were sitting at the bench next to him. He stated he overheard them saying something similar to, "They were waiting for this piece of shit to come home and they were gonna teach him a lesson and he needs to be out of Lake County." I asked who they were waiting for and he said, "Whoever stole the dope lives there. I never met the guy. His name is Jason, I think." Thayer then pointed to 6014 B East State Highway 20. He stated he overheard the person they were waiting for beat up a friend of theirs and stole two (2) ounces of marijuana from him. According to Thayer, the white male adult noticed someone arrive at the aforementioned address, handed his beer to the Indian male adult, and said something similar to, "There he goes. I can handle this myself, you don't need any trouble. I've had it with this fucker and I'm going to mutilate him." He said the white male adult then ran to 6014 B East State Highway 20. Thayer then heard what he described as "Shit going on" and the white male adult whistled loudly. The Indian male adult then told Thayer, "Nice meeting you man," and "hauled ass" to the aforementioned address.

I asked Thayer to describe the white male adult. He stated the white male adult wore a white "wife beater" t-shirt, blue jeans, and white leather shoes. Still suspecting that Jeremy Lee Bryant may be the suspect, I asked Thayer to look at a digital photograph I took of Bryant last week. Thayer viewed the photograph on my department issued digital camera and stated, "Yeah, that's him but he had a goatee."

I then re-contacted Jason in front of his residence. I asked him to look at the same photograph of Bryant on my digital camera and he stated, "That's the main guy, Jeremy." I asked him if that was the guy that tried to wrestle the gun from his father and he said, "Yes."

Prepared By:

S0551 ALVEAR, ARMANDO

Date:

04/19/2016

Approved By:

S0128 WARD, RICHARD

Date:

04/19/2016

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**LAKE COUNTY SHERIFF'S OFFICE**

1220 MARTIN STREET LAKEPORT, CA 95453 707 262 4200

NARRATIVE

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I then proceeded to the LCSO Substation, in Lucerne, to create a photographic line-up for suspect identification. I did not use the same photograph from my digital camera, rather a mug shot of Bryant from 2011, which was the most recent photo in RIMS.

After completing the photographic line-up, I re-contacted Jason at approximately 2244 hours. I read him the Simmons Admonition which he then signed in my presence. I presented Jason with the six individual photographs, he identified the photograph of Jeremy Lee Bryant and said, "I recognize that guy. That was the main guy, Jeremy." Jason then signed and dated the photograph of Bryant. I later scanned the photographic line-up, including the Simmons Admonition, and attached it to this report.

I re-contacted Thayer at his residence at approximately 2257 hours. I read him the Simmons Admonition which he then signed in my presence. I presented Thayer with the six individual photographs, he did not identify Jeremy Lee Bryant as the white male adult who ran from the pier to 6014 B East State Highway 20. Thayer then signed and dated the photograph of suspect #2 (not Bryant). I later scanned the photographic line-up, including the Simmons Admonition, and attached it to this report.

Deputy Barreto and I then attempted to contact Bryant at the same address I contacted him at last week while investigating case number 16040157. We did not locate Bryant at 6287 Third Avenue, in Lucerne, but the occupant "John" did tell us Bryant has recently been working for, "The Snake Lady."

I know Yvonne Diane Cox from previous Law Enforcement contacts and she is commonly referred to as, "The Snake Lady." Deputy Barreto and I then contacted Cox at her residence located at 3891 Sunset Terrace, in Lucerne. She told me she has not seen Bryant but wished to help with the investigation. I provided her with my contact information and left.

While continuing to canvass the neighborhood and check residences where I believed Bryant may be found, Cox contacted my cell phone. She told me she had contacted Bryant after speaking to me and wished to bring him to Deputy Barreto and I. I agreed to meet her at the corner of Sixth Avenue and East Highway 20, in Lucerne. Cox arrived with Bryant.

Prior to reading Bryant his Miranda Rights he said, "I want a Lawyer, and I'll tell you again, I want a Lawyer." I then read Bryant his Miranda Rights and asked if he understood to which he replied, "Sure." I asked him if he wanted to speak to me regarding the incident from earlier and he said, "No." Bryant then spontaneously said, "I will make a statement." Bryant then told me the following, in summary: He wants his hands checked for gunshot residue. He stated he went to the residence to confront "him" for "robbing my friend" of money and weed. He states he went to "their" house and the occupant tried to stab at him through the security gate. According to Bryant, the occupant then pushed open the security gate, walked out, and tried to stab him again. He said he then pushed the occupant back into the residence and closed the security gate in an attempt to defend himself. Bryant states the "guy standing at the door" said, "Shoot him," and then moved to the side and "the other guy behind him" fired and started screaming. Bryant said he looked inside and saw "He shot himself in the leg." Bryant remained adamant he did not shoot anyone in the leg. He stated he was defending himself and his friend. He said his friend is Rich Pulido. He added Pulido's son and girlfriend were also there and witnessed the

Prepared By:

S0551 ALVEAR, ARMANDO

Date:

04/19/2016

Approved By:

S0128 WARD, RICHARD

Date:

04/19/2016

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**LAKE COUNTY SHERIFF'S OFFICE**1220 MARTIN STREET LAKEPORT, CA 95453 707 262 4200
NARRATIVE

Page 4

C16040227

incident.

As of the writing of this report I have been unable to identify or contact Rich Pulido, his girlfriend, or his son.

I informed Bryant he was under arrest, placed him in handcuffs, and escorted him to the rear seat of my patrol vehicle. I transported Bryant to the Hill Road Correctional Facility where he was booked for 664/211 PC - Attempted Robbery, 245(a)(2) PC - Assault with a Firearm and 459 PC - Burglary.

While at the Hill Road Correctional Facility, I informed Officer Phillipi I intended to collect Bryant's clothing as evidence. I provided Officer Phillipi with several brown evidence bags for collection. Officer Phillipi then presented me with Bryant's clothing in the brown evidence bags. Deputy Barreto assisted me with collecting evidence from the hands of Bryant. We placed distilled water on two (2) cotton swabs and rubbed them on each of Bryant's hands. The swabs were placed in a Swab Carton. I later placed distilled water on a Control Swab and placed it in a separate Swab Carton marked "Control." All items collected at the scene were later booked into evidence at the LCSO Main Office.

I later copied all statements recorded on my department issued audio recorder to a compact disc and attached it to this report.

Case status closed: Cleared by adult arrest

Prepared By:

S0551 ALVEAR, ARMANDO

Date:

04/19/2016

Approved By:

S0128 WARD, RICHARD

Date:

04/19/2016

859

**LAKE COUNTY SHERIFFS OFFICE**1220 MARTIN STREET LAKEPORT, CA 95453 707 262 4200
SUPPLEMENT 1

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C16040227

RSO 210 MAV 4RE Active

Scanned Attachments:
Crime Scene Log (LPD)**Narrative:**

On 04/18/2016, I was driving RSO 210, a marked Lake County Sheriff's Office patrol vehicle. At approximately 2040 hours, Deputy Alvear and I were dispatched to 6014 Hwy 20 #B in Lucerne. A Paola Vollmer reported approximately 5 males were in a verbal argument and a gun shot was heard. Approximately 2 minutes later, Central Dispatch received information that a male subject at the residence had been shot in the leg. Deputy Alvear and I responded Code 3 (emergency lights and sirens).

Upon arrival, Deputy Alvear and I began searching the immediate area. A male subject, later identified as Jason Arreaga, was yelling from outside in front of the residence, stating his father, later identified as Michael Arreaga, had been shot in the leg. Deputy Alvear and I entered the residence and I observed Michael lying face down on the ground screaming for help. I observed that Michael's leg had a severe injury to it. There was a lot of blood flowing from his leg all over the ground. I also observed chunks of flesh all over the area where Michael was laying. I requested Medics respond code 3 and also requested an air ambulance.

I briefly contacted Michael and based on the injury, I informed him there was a possibility of him not living and asked him to give me a dying declaration. Michael appeared to be in shock and stated he did not know who shot him. I had Deputy Alvear attempt to interview him while I secured the scene. I observed a rifle on top of the mattress next to where Michael was laying. Deputy Alvear put gloves on and moved the rifle so medics could work on Michael.

Due to the unknown factors at this point, and the fact that we had several citizens attempting to walk into and by the crime scene, I requested assistance from the Lakeport Police Department and the California Highway Patrol. I also requested Sgt. M. Davis respond to our location to determine if Detectives were going to be needed due to the seriousness of the injuries / crime. Officer Eastham (LPD), Officer Trouette (LPD), and Officer Buchholz (CHP), arrived to assist us.

I briefly contacted Jason, who stated 10 people came to the residence and forced their way into the residence and began to physically assault him. Two of the males, one which we were able to identify as Jeremy Bryant, ran up to his father and began to physically assault him. Jason stated another one of the males could be someone who he knew as "Mario" or "Marcus". Jason stated the reason he knew that male, was because he knew a "Nick Azbill" and a "Shavonne Prat" and that male was their cousin. As that was happening he heard a shot and his father went down. All the males then ran out of the residence.

Medics with the Northshore Fire Department arrived and got Michael ready for transport. I went to my vehicle and brought out yellow Sheriff's Office tape and marked off the scene area with it. I instructed Officer Trouette to start a crime scene log in order to preserve the scene and the evidence. Officer

Prepared By:

S0409 BARRETO, MAURICIO

Date:

04/19/2016

Approved By:

S0128 WARD, RICHARD

Date:

04/19/2016

60
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**LAKE COUNTY SHERIFF'S OFFICE**

1220 MARTIN STREET LAKEPORT, CA 95453 707 262 4200

SUPPLEMENT 1

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C16-40227

Eastham assisted Officer Trouette while CHP Officer Buchholz stood by with Jason. Medics transported Michael to an air ambulance where he was transported to Santa Rosa Memorial Hospital for additional treatment.

I contacted Jason Murphy and his girlfriend, Keeaira Mckee, who reside in unit #A. Jason M. told me the following. An male adult, whom he was unable to see clearly, began knocking on his door. Jason opened his window and asked him what he wanted and the man told him he was there to see the "Skinhead." Jason M. stated he told the male that no one lived there besides him and his girlfriend and told him to leave. He heard the male go to Michael's residence and start knocking on the door loudly. Jason M. observed at least three other people run across the street from the park and the male began screaming something about a bag of "stolen weed." Jason M. then heard a commotion and a loud bang but did not think anything of it until he saw all the patrol cars. I then spoke with Keeaira, who told me she heard a commotion at Michael's residence about someone "stealing a bag of weed." She said she did not actually see the incident, she only heard what went on.

I went next door to 6410 Hwy 20 and contacted the reporting party, Paola Vollmer and her husband, Eric Vollmer. Eric told me he heard "banging" on Michael's residence and someone screamed "I am going to kick your ass" and then some type of commotion. Eric heard a gunshot and Paola called 911. Paola stated she was watching television and heard a loud bang. She observed several people outside her residence and heard what appeared to be a fight. Paola called 911 to report what was happening and heard a shot. Paola and Eric informed me they had just moved Lucerne and did not recognize anyone involved because it happened very fast.

I contacted Judy Flaherty, who resides at 6014 Hwy 20 #D. Judy stated she did not hear any fight, but she did hear what she thought was a gun shot. Judy did not see anyone.

I went back to the crime scene with Deputy Alvear and processed the scene. After we were done collecting the evidence, I consulted with Sgt. Davis, who had spoken with Detective Lt. Paulich and released the scene to Jason. I collected the crime scene log and later attached it to this report. Deputy Alvear conducted a photo lineup and was able to identify a suspect, Jeremy Bryant.

Deputy Alvear and I canvassed Lucerne extensively and were able to find Jeremy. Deputy Alvear placed him under arrest and transported him to the HRCF for booking. Jeremy had made a spontaneous statement to us about Michael shooting at him and the bullet ricocheting off the door or wall, hitting him in the leg. I went back to 6014 Hwy 20 #B and Jason allowed me to come in and check the walls and doors. I did not see any signs of the bullets having ricocheted anywhere in the house.

I went to the HRCF and assisted Deputy Alvear in collecting DNA from Jeremy using distilled water and sterile cotton swabs which were later incorporated into this report.

Case Closed: Adult Arrest

Prepared By:

S0409 BARRETO, MAURICIO

Date:

04/19/2016

Approved By:

S0128 WARD, RICHARD

Date:

04/19/2016

10 61

**LAKE COUNTY SHERIFF'S OFFICE**

1220 MARTIN STREET LAKEPORT, CA 95453 707 262 4200

SUPPLEMENT 2

Page 1

C16040227

RSO-310 (MAV 4RE activated)

Supplemental Report #2**Attachment(s):** None**Narrative:**

On Monday, 4/18/16, at approximately 2045 hours, I responded to 6014B E. State Highway 20, Lucerne, for a subject with a gunshot wound to the leg. Deputies Alvear and Barreto responded and arrived on scene first. They were assisted by Officer Eastham and Trouette, Lakeport Police Department, and Officer Bucholtz, CHP, who arrived shortly after to assist on the incident.

Upon my arrival, Deputy Barreto briefed me on the incident (see his supplemental report for information). I then briefly spoke with Deputy Alvear, who briefed me on his part of the investigation (see original report for information). Deputy Barreto then showed me the incident scene. From a short distance, I was able to see blood on floor of the room and a rifle on the bed.

After looking at the incident scene, I contacted Lt Paulich by phone and briefed him on the incident. Due to the investigative activities already completed by Deputies Alvear and Barreto, the decision was made against having any Detectives respond out to the incident scene. I directed Deputies Barreto and Alvear to finish processing the scene and collect any necessary evidence items, including the victim's blood pants (which were cut up).

While they were processing the incident scene, I contacted a Hogan Cheung at 6000 E. State Highway 20, the Lucerne Gas & Service. Cheung made us aware that he had surveillance cameras point in the general direction of the incident. I reviewed the surveillance cameras video. The cameras did not catch the actual incident. You can see multiple subjects standing across the street from 6140 E. State Highway 20. They cross the street and the camera loses sight of them. After a couple of minutes, you can see a couple of subjects running away from the incident, back towards Alpine Park. I downloaded a copy of the video, which I later transferred to a DVD disc and gave to deputy Alvear to place into evidence. Cheung said he did not actually see the incident either. I cleared the incident scene and returned to my other patrol duties.

In communicating with Deputy Alvear, I know he eventually made an arrest of a suspect (Jeremy Bryant) for this incident.

Upon returning to the Sheriff's Office Main Office, I took the cut up pants for Michael Arreaga and placed them into a secured drying rack in order to help preserve possible evidence on them. Once dried, the cut up pants will be placed into an evidence locker.

At approximately 0730, I contacted Evidence Technician Elona Porter and asked her to complete an ALS (Alternative Light Source) examination of the suspect's clothing, looking for possible blood splatter on the suspect's recovered clothing (see supplemental report for additional information from Porter).

Prepared By:

S0478 DAVIS, MICHAEL

Date:

04/19/2016

Approved By:

S0128 WARD, RICHARD

Date:

04/19/2016

11 62

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SUPPLEMENT 2

Page 2

C16040227

Case status closed by adult arrest.

Prepared By:

S0478 DAVIS, MICHAEL

Date:

04/19/2016

Approved By:

S0128 WARD, RICHARD

Date:

04/19/2016

1263

**LAKE COUNTY SHERIFF'S OFFICE**1220 MARTIN STREET LAKEPORT, CA 95453 707 262 4200
SUPPLEMENT 7

Page 1

C16040227

ATTACHMENTS:

Residence Diagram

SUPPLEMENT:

On 04/20/2016, I received a Request for Further Investigation from Deputy District Attorney Borg in regards to Case # 16040227.

At approximately 2009 hours, I arrived at 6014 #B East State Highway 20, in Lucerne, to complete a Residence Diagram and further interview Jason Areaga. While completing the Residence Diagram, I examined the area surrounding the front door for possible bullet impact points. I did not observe any bullet holes, dents, or fragments of any kind. I photographed the metal security gate and surrounding areas.

I asked Jason if we could speak again about what happened the night his father was shot. Jason told me the following, in summary: His father has no cartilage in his knees and his lower vertebrae have been fused together. His father is capable of standing and walking on his own but not for prolonged periods of time. His father is not confined to a wheelchair but uses it regularly. On the night of 04/18/2016, they were both laying in bed and watching a movie. His father was not in the wheelchair. Jason heard banging outside of their residence and got up to investigate. As he approached the front door, the metal security gate was forced open so violently, it caused the inner door to open. He said he saw multiple people standing outside the security gate. He said "Jeremy" hit him twice in the face. I observed a small bruise below Jason's left eyebrow, multiple superficial scratches on his right wrist, and scrapes on his knees. He said being struck in the face caused his glasses to shift on his head and he stumbled to his right. According to Jason, two men (one being "Jeremy"), pushed passed him towards his father. He did not turn around as he was trying to keep more people from entering. He then heard the gunshot and looked over his left shoulder. As he looked back, "Jeremy" and the other male ran passed him and out the door. Jason states his father could be seen laying on the floor, next to the bed. He did not see who had hold of the rifle or how the rifle was positioned when it fired.

The victim was approximately thirty-two (32) feet from the front door when he was shot. If in fact the bullet was fired at the front door and ricocheted back, it avoided a speaker the is approximately one (1) foot wide, a flat screen television that is approximately four (4) feet wide, a floor to ceiling pillar that is approximately one (1) foot wide, and Jason.

While examining the metal security gate, I saw several screws used to secure the gate to the exterior siding had been pulled out. Jason said this occurred when "Jeremy" forced it open.

I took several new pictures and added those pictures to this report. Please refer to Photographs 67-97.

I was unable to interview Richard Pulido although I did briefly contact him at his place of employment, Running Creek Casino. I updated all of his information in RIMS. He asked to be contacted by a detective on 04/21/2016, before 1200 hours.

Case status closed: Cleared by adult arrest

Prepared By:

S0551 ALVEAR, ARMANDO

Date:

04/21/2016

Approved By:

S0405 JOSEPH, KELLIE

Date:

04/23/2016

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**LAKE COUNTY SHERIFF'S OFFICE**

1220 MARTIN STREET LAKEPORT, CA 95453 707 262 4200

SUPPLEMENT 8

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C16040227

Supplemental Report #8**Attachment(s):**

Property Form (Scanned)

Narrative:

On Thursday, 4/21/16, at approximately 2000 hours, I put on glasses, a mask, and gloves in order to remove the victim's sweatpants from the evidence drying cabinet. The cut up sweatpants were placed into one bag (Item #16). The trace paper (used to catch trace evidence) and the paper bag originally used to carry the sweatpants were placed in a separate bag (Item #17). Both bags were taped sealed by me and subsequently placed into evidence.

The drying cabinet used by me was locked from the time I originally placed the pants in it to the time I removed them. I retained the key until I removed the pant from the cabinet.

Case status closed by adult arrest.

Prepared By:

S0478 DAVIS, MICHAEL

Date:

04/21/2016

Approved By:

S0405 JOSEPH, KELLIE

Date:

04/23/2016

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SUPPLEMENT 9 - Photos of item 4

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Attachments

None

Narrative

On 4/25/2016, I removed item 4 from its packaging - Super Speed 30-30 Win spent casing, took photos, and attached the photos to this report (photos 147 and 148).

Case Status: Closed

Prepared By:
S0114 PORTER, ELONA

Date:
04/25/2016

Approved By:
S0405 JOSEPH, KELLIE

Date:
04/26/2016

66
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SUPPLEMENT 10

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C16040227

Attachments: Property Receipt items 28-29 (scanned attachment)
Authorization for Release of Medical Records (scanned attachment)
CD with interview Michael Arreaga

On 4/28/16, I contacted Michael Arreaga at Santa Rosa Memorial Hospital. The interview was recorded. I stored the recording on a CD. The following is a summary of what he told me.

Michael Arreaga said he was home with his son Jason Arreaga when this incident occurred. He was laying on their bed which is located in the back of the residence while Jason Arreaga was by the kitchen area nearby. He heard banging on the walls outside his residence. Jason Arreaga went to the front door to see what was going on. Michael Arreaga heard three voices making comments similar to, "Open the fucking door right now we are coming in there. We're gonna take what you got." He also heard one of the subjects say something like, "We are all armed here so don't think about doing anything." He told me they were not concerned about his pitbulls and he had a gut feeling that this was not going to be good and feared for his safety and his son's safety. He retrieved his 30-30 rifle from the area that he kept it by the bed and loaded it. He told his son to get away from the door because he was planning on firing a warning shot or "skipping" a round off the floor to hit them low thinking there was less of a chance of killing someone that way. He said his intent was to stop them from coming in, not to kill anyone. He said the subjects did not seem to care that he had a gun so he thought they must be armed themselves.

Michael Arreaga said he was sitting on the edge of the bed and loaded the rifle with four or five rounds of soft tip ammunition. He cocked the rifle once. He was trying to aim the rifle at the gate while ordering his son to get out of the way. He thought about trying to get into his wheelchair but did not think he would have time. He recalled going towards the front door but could not remember if he walked or crawled. He recalled thinking that he wanted to stay low so if he had to shoot he would only hit them in the feet or legs.

Michael Arreaga recalled hearing the subjects screaming, "Open the fucking door now!" and that they already had their hands inside the security gate. They were pulling on his son by the arm against the security gate. He said it was really dark and he could not see anyone with weapons but he remembered one of the subjects saying, "I've got a pistol I don't care what you got in there." He said there was one light on inside the back of the residence by the mattress area and there were no porch lights or interior lights on by the front door. He recalled that he could see their hands coming through the security gate and shaking the gate. He recalled thinking the gate was going to come down because he could hear it banging against the wall as they shook it. He said by that time he was behind his son. He saw the gate hit his son on the head and realized the security gate was now open and they were coming in. He saw that his son was pinned between the gate and the wall as the subjects were trying to get in. The subjects said, "Get the fuck out of the way we're coming in. We're taking your shit. We know you got money in there. We know you got dope in there. We know you got drugs in there. We know we've already been told. Get out of the way."

I asked Michael Arreaga at what point did he decide he needed to get the gun. I asked him what was happening that made him decide he needed to get the gun. He said when he saw them fighting with his son and heard what they were saying, he felt they were coming in the house. He thought all three subjects had guns and was afraid they were going to shoot him and his son. He said the gun was kept in the cabinet behind his bed.

I asked Michael Arreaga about his ability to walk. He said he is able to take a few steps to as many as about ten steps on his own but prefers to use a walker or wheelchair. He said the night of this

Prepared By:

S0078 PFANN, JERRY

Date:

05/02/2016

Approved By:

S0146 GREGORE, JOHN

Date:

05/03/2016

67

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SUPPLEMENT 10

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incident he was able to walk more because of the adrenalin. He told me he needs both hips replaced. He said he is on permanent disability due to his hip condition. He has other medical conditions but they do not effect his ability to walk.

Michael Arreaga described how once he reached the doorway, he could see his son was pinned between the gate and the wall and the subjects were grabbing his son by the arm so his son could not get out of the way. He estimated he got within about 5 feet of the doorway. He was trying to aim the gun but was having trouble getting a clear shot because his son was in the way. He started moving to the right when one of the subjects reached out and grabbed the barrel of the rifle. That started what he described as a tug of war with the gun. Michael Arreaga then described how he tried "a move" to get the gun away. He indicated that he had some kind of self defense training related to taking a gun or keeping someone from taking a gun from you, from prior employment as a security guard. He demonstrated how he tried to hit the butt stock end of the rifle with one hand, while maintaining a grip on the trigger guard area of the rifle with the other hand, in an effort to break the subjects grip on the barrel. The maneuver did not work and he ended up with barrel pointing at him at one point. They are still struggling for control of the gun. The subject was trying to pull Michael Arreaga's hand away from the trigger guard while the gun is pointed down towards him and the ground on Michael Arreaga's right side. The rifle fired during the struggle for control of the gun. The shot hit him on the outside of his right leg in the calf area. He fell to the ground and the rifle fell to the ground. He said there was only one shot. He blocked the doorway when he fell to the ground. He said one of the subjects, the one he was fighting over the gun with, was able to just get inside the threshold. He recalled looking up and could see the subjects still had his son pinned behind the security gate and were repeatedly hitting his son with the gate.

Michael Arreaga described the subject he was fighting over the gun with as a WMA, with blonde hair and a blonde colored goatee, approx. 5'11" about 175 lbs wearing jeans and a t-shirt. He recalled the t-shirt was not white but could not recall the specific color. He thought there was a total of three subjects because he recalled hearing three distinct voices. He said the WMA he was struggling with was the person making most of the comments about coming in, etc.

I advised Michael Arreaga of the Simmons Decision from a dept. issued form. He indicated he understood and signed the form. I showed him five photo arrays which contained a photograph of Jeremy Bryant, Richard Pulido, Jerry Adkins, Nick Azbill and Alejandro Lopez. Bryant's lineup was in black and white. The remaining lineups were in color. The photos were arranged in random order. He identified Bryant and Azbill in the photo lineups. He signed and dated both photos. He said Bryant was the WMA he was fighting over the gun with. He thought Azbill looked like the person standing behind Bryant. He did not identify anyone else in the other lineups. I stored the photo lineups and Simmons form in evidence at the LCSO Main Office.

Michael Arreaga recalled after the shot was fired that he could not find the cell phone so they could call for help. He thought he crawled back to the bed where he thought the cell phone was. The subjects left as soon as the shot was fired. He recalled one of them saying, "I don't care that you got shot." He recalled thinking that he was going to die because he was losing so much blood. He thought he reached the cell phone and gave it to his son before starting to pass out. He had no idea why this happened, did not know any of the people. He kept telling them, "You have the wrong guy." He said in the hours before this happened he was sleeping and did not recall anyone coming to the house before this incident happened. He said he does not know anyone that goes by the name, "Freedom" or Zach Glover. Refer to the recording for further details.

Prepared By:

S0078 PFANN, JERRY

Date:

05/02/2016

Approved By:

S0146 GREGORE, JOHN

Date:

05/03/2016

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SUPPLEMENT 10

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C16040227

On 5/2/16, I received a CD from LCSO Central Dispatch with two 911 calls received related to this incident. I stored the CD in evidence at the LCSO Main Office.

Case Closed: Arrest

Prepared By:

S0078 PFANN, JERRY

Date:

05/02/2016

Approved By:

S0146 GREGORE, JOHN

Date:

05/03/2016

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**LAKE COUNTY SHERIFF'S OFFICE**

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SUPPLEMENT 5

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C16040227

Attachments: Property Receipt item 18-25 (scanned attachment)
CD w/interviews J. Arreaga, R. Pulido, J. Adkins, D. Killough, G. Thayer, Y. Cox
(attachment)
Photo Lineups w/Simmons Form shown to J. Arreaga, G. Thayer, J. Adkins, R. Pulido,
D. Killough - items 19-25 (scanned attachment)

On 4/19/16, I checked out item 1 (surveillance video) and found that it could not be played without the surveillance system video player. I returned item 1 to LCSO Evidence. I contacted Hogan Cheung at his business and obtained another copy of the surveillance video which included the system video player. I was able to view the video and store a working copy on a DVD (item 18) in evidence at the LCSO Main Office.

On 4/19/16, Det. Keener and I contacted Jason Arreaga. The interview was recorded and stored on a CD. He and his father were watching a movie. He heard banging on the wall and got up to answer the door. He found approx. ten people standing outside. He recognized two of them. One he knew as Jeremy (later identified as Jeremy Bryant) and the other he knew as Marco or Mario (possibly Native American) who is a cousin of a person named Nick Azbill that he used to live by. He said everyone was talking to him saying different things at the same time. Bryant suddenly punched Jason Arreaga in the left eye through the locked security door. I could see a red mark on his left eye that was consistent with someone who wears glasses having been punched. Bryant then began kicking the security door and was able to eventually force it open. Jason Arreaga said he then was trying to keep them from getting through the front door into the residence. He said his glasses fell off and he was unable to see clearly after that. He said Bryant and "Marco" were able to get past him into the residence. He continued struggling with the other people trying to keep them out of the house. He said his father was on their bed behind him. He then heard a gunshot and everyone ran out. Jason Arreaga showed me scratches on his hands, arms and legs that he suffered during this incident. Those injuries were already photographed and added to this report in RIMS by Deputy Alvear.

I advised him of the Simmons Decision from a dept. issued form. He indicated he understood and signed the form. I showed him a color photo array which contained a photograph of Richard Pulido. The photos were arranged in random order. He pointed to the picture of Richard Pulido and said he looked like one of the suspects he knew as Mario/Marco but the hair was different. I had Jason Arreaga initial and date the photo as well as write on the page "This looks like one of them but hair was different."

I asked Jason Arreaga why he thought this happened. He said that he had only been living there for about a week and a half. The people that came to his house were talking about a person named "Freedom" and other stuff that he could not understand because they were all saying different things to him at the same time. He felt that everything was directed at him and might be related to a recent homicide case he was involved in because he thought one of the suspects Marco/Mario was related to someone in that case. He said he was released from jail for that case on 2/29/16. He said his father is disabled. Refer to the recording for further details. I stored the photo lineup and Simmons form in evidence at the LCSO Main Office.

On 4/19/16, Det. Keener and I contacted Greg Thayer. The interview was recorded and stored on a CD. Thayer said he took his dog with him to the Lakeview Market. He then went to Alpine Park to hang out for a while and drink a beer. He was sitting on a park bench a couple feet from a park bench

Prepared By:

S0078 PFANN, JERRY

Date:

04/20/2016

Approved By:

S0058 PAULICH, COREY

Date:

04/28/2016

54 70

**LAKE COUNTY SHERIFF'S OFFICE**

1220 MARTIN STREET LAKEPORT, CA 95453 707 262 4200

SUPPLEMENT 5

Page 2

C16040227

where an IMA and a WMA (Bryant) wearing a white tank top, blue jeans and white tennis shoes with a red stripe were sitting. He said there was a large group of people fishing nearby as well. He overheard Bryant talking to the IMA about how someone had beaten up "Freedom" (Zachary Glover) and stolen 2 ounces of marijuana from him. Thayer said they were watching the house they believed the person lived at (Jason Arreaga). Thayer saw another IMA with a ponytail come over and tell them that Arreaga was on the way home. Thayer said they watched the house and saw Arreaga get dropped off. Thayer said it was starting to get dark. He heard Bryant tell the IMA that he was going to, "...show him (Arreaga) who is boss around here and I'm gonna fuck him up. I'm gonna fuck him up hard." Thayer then thought he heard the IMA say that he saw Arreaga looking out the window so they believed he was inside. Bryant walked over to Arreaga's house by himself. Thayer said a couple minutes later he heard a few different voices yelling from that direction that made him think they were fighting. He then heard a loud whistle and the IMA ran across the street to Arreaga's residence. Thayer said he started walking home and by the time he got to that side of the highway, everybody was inside the residence. He only saw Bryant and the IMA go to Arreaga's house. He then went home to put away his groceries, etc. He walked back to that area a short time later and thought he heard a noise similar to a gunshot. He did not see the people leave but did see the Fire Dept and LCSO arrive.

I advised Thayer of the Simmons Decision from a dept. issued form. He indicated he understood and signed the form. I showed him two color photo arrays which contained a photograph of Richard Pulido and Nick Azbill. The photos were arranged in random order. He was unable to identify anyone in the photo lineups. Refer to the recording for further details. I stored the photo lineups and Simmons form in evidence at the LCSO Main Office.

On 4/20/16, I contacted Jason Arreaga. The interview was recorded and stored on a CD. I advised him of the Simmons Decision from a dept. issued form. He indicated he understood and signed the form. I showed him a black and white photo array which contained a photograph of Jerry Adkins. The photos were arranged in random order. He was unable to identify anyone in the photographs. I stopped the recording. Refer to the recording for further details. I then asked Arreaga if I could look inside the residence. He brought me inside. I observed that it looked very similar to the original scene photos and the only blood that had been cleaned up was from the floor next to the bed. I was unable to locate any obvious signs of a bullet impact/ricochet on the bare cement floor near the bed or on the walls, ceiling, support post, front doors, door frame or the metal security doors, etc.

On 4/20/16, I contacted Jerry Adkins. The interview was recorded and stored on a CD. I immediately realized that Adkins no longer looked anything like the DMV photo I had just used in the photo array with Jason Arreaga. Adkins consented to my taking a photograph of him. Adkins confirmed that he understood that he was voluntarily speaking with me, did not have to answer any questions and could end the interview and tell me to leave his house. Adkins explained that just prior to this incident he heard that Glover was beat up by a person named Jason and also had some marijuana stolen from him. Adkins said Glover is like a son to him and said that Glover is mentally handicapped and slow. Adkins said they did not know where Glover was and so he started looking for him at places that he knew Glover liked to hang out. He was walking in Alpine Park when he ran into "Hazard" (Jeremy Bryant) and Richard Pulido. He knows them by first name by running into them around town but is not friends with them. They asked him if he heard about what happened to Glover. Adkins told them that he had and asked them what happened. They said Glover went to Jason Arreaga's

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Date:

04/20/2016

Approved By:

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Date:

04/28/2016

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to sell him some marijuana. Jason Arreaga then beat up Glover. Adkins said he does not know when that assault happened. Adkins said that made him even more upset because up to that point he only thought Glover was assaulted and knew nothing of the drug transaction. They told Adkins that they believed they know who did it and where that person lived. They pointed out Jason Arreaga's residence.

Adkins said he wanted to go talk to the guy. They told him no that they would handle it. Adkins said he knew at that point that Bryant or Pulido were going to get into Arreaga's house and beat Jason Arreaga up. They did not say that but he knew that was what was going to happen because Bryant and Pulido have a history of taking care of problems in town that way. Adkins said he asked them to help him go confront Jason Arreaga. Adkins said the three of them walked over there. Adkins described the residence and said that he looked in one of the large tinted windows and could see two people inside. He told Jeremy what he saw and they decided to go around to the alley on the left that appeared to have a door to that residence. There was no answer at that door so they walked back around to the front of the building where the metal security doors were. Adkins was certain that the only people there were Bryant, Pulido and himself. Adkins said it was dark out by this time. Adkins said nobody went to the upstairs apartments. At that point, Bryant heard someone inside and Adkins said Bryant, "Went off." Bryant began shaking the security doors and then all three of them started shaking it and were eventually able to open it. They were now in the doorway at the tinted front doors. They could see the two people inside so they started pounding on the door.

Jason Arreaga answered the door and the first thing he said was, "You got the wrong guy. Nothing has happened here." Adkins said Jason Arreaga was, "Shaking like a leaf." Bryant was the only one speaking to him and said, "You beat up a friend of mine." Adkins explained Bryant and Jason Arreaga ended up fighting. Adkins said he and Pulido stayed outside at the front door while Bryant was inside the residence and Jason Arreaga was trying to hide behind the front door. Adkins said he did not see Bryant, Pulido or Jason Arreaga with any weapons and he did not have any weapons himself. Adkins explained that Bryant intended to do to Jason Arreaga what he had done to Glover. Adkins said once that was done, he intended to punch Jason Arreaga a couple times for his own satisfaction but he became scared. Adkins said he became scared because he saw the other person in the residence (Michael Arreaga) sitting on a bed in the back, reaching for what Adkins believed to be a 30-30 rifle. Adkins saw the guy pointing the gun towards them. Adkins said he told everyone the guy had a gun and they all ran out. He heard what he believed to be a gunshot as they were running out.

I reviewed his story again. Adkins was certain that there was nobody else around standing nearby or across the street, etc. Adkins was certain that it was only the three of them present. Adkins said once they got the security gate open they knocked on the front door and yelled at Jason Arreaga, "Get your butt out here, we need to talk to you pronto." Jason Arreaga opened the door and rattled off that he had nothing to do with this. Adkins said at that time, Bryant was trying to beat Jason Arreaga up for what they believed happened to Glover. Adkins said Bryant was trying to punch Jason Arreaga and Jason Arreaga was trying to block the punches with his body or the front door. Jason Arreaga was trying to push Bryant back out using the front door but Bryant was able to get inside the residence. Adkins said nobody else except Bryant assaulted Jason Arreaga. Bryant continued cussing him out and telling him that he assaulted their friend and they were there to take care of it. Adkins thought Bryant only hit Jason Arreaga about three times in the face/nose because Jason Arreaga was good at blocking a lot of the punches. Adkins said that is when he saw the man in the back, who he thought was named Michael, grab the gun. Adkins told everyone about the gun. I am not sure if Adkins said this out loud or was just thinking it at the time but Adkins told me even though Michael Arreaga was crippled, he still had a gun

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and they needed to get out. Adkins said the gun was fired before they left. Adkins said he hid behind the Tomkins Tax building. He did not know where Bryant and Pulido went. He heard Jason Arreaga yelling for an ambulance and that his father was hurt. Adkins said none of them ever got anywhere close to Michael Arreaga.

I advised Adkins of the Simmons Decision from a dept. issued form. He indicated he understood and signed the form. I showed him two photo arrays which contained a photograph of Jeremy Bryant and Richard Pulido. Bryant's lineup was in black and white. Pulido's lineup was in color. The photos were arranged in random order. He identified Bryant and Pulido in the photo lineups. He signed and dated both photos. I stored the photo lineups and Simmons form in evidence at the LCSO Main Office.

Adkins again confirmed that Bryant was the only person that physically assaulted Jason Arreaga and there was nobody else present behind or near them. Adkins recalled that as they were leaving, the neighbors upstairs told them the police had been called. Adkins said he decided to come forward the next morning when he found out what Bryant had been arrested for and did not think it was right. I asked Adkins if the reason they went over there was because of what happened to Glover and they wanted to take back the marijuana if it was still there and they wanted to hurt Jason Arreaga like he hurt Glover. Adkins confirmed that was their intent. Adkins said he heard there was a knife involved and said nobody present had a knife, including Jason Arreaga.

Adkins said Yvonne Cox had visited him the night before and thanked him for what he was trying to do for Glover and asked him to go with her and Glover to Bryant's next court date. I asked Adkins if he understood how this situation looks. I told him they went to Jason Arreaga's house with the intent to enter the residence and take stuff from him and hurt him. Adkins said they were going to take the weed (marijuana) and give it back to who it belonged to. Glover told them it was about 2-3 ounces but they did not see any marijuana. Adkins said when they first met Glover they told him he needed to be careful who he associated with because people would take advantage of him. Adkins said Glover told him that he used to visit Michael Arreaga and smoke marijuana with him. Adkins said Glover is scared and he told Glover that what he did was wrong. Adkins said he does not know who gave Glover the marijuana to sell.

Adkins then recalled that "Little Richard" Pulido (son of Richard Pulido) came to his house the night of this incident and told him about what happened to Glover. That is when Adkins went to Alpine Park trying to find Glover and he ran into Bryant and Pulido. Adkins said Little Richard Pulido was not present with them. Adkins said he could have been in the park with his girlfriend but was certain that Little Richard Pulido was not a participant. Adkins did not know anyone named Marco/Mario. Adkins said there was nobody sitting nearby when he, Bryant and Pulido were sitting at the bench at Alpine Park talking about what they were going to do. Refer to the recording for further details.

On 4/21/16, I contacted Jason Arreaga. The interview was recorded and stored on a CD. I advised him of the Simmons Decision from a dept. issued form. He indicated he understood and signed the form. I showed him a color photo array which contained an updated photograph of Jerry Adkins. The photos were arranged in random order. He was unable to identify anyone in the photographs. Jason Arreaga explained that his father has to use a walker or wheelchair to stand up or move anything more than a few steps. Jason Arreaga said he did not see anyone fighting with his father for the gun. He said Bryant and another guy got past him. Jason Arreaga said the rifle belongs to his father. He said his father kept the gun wrapped in a blanket above the bed where they both slept. Jason Arreaga said he moved in approx. a week and a half earlier and did not know his father had the rifle there. Jason

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Arreaga said he is scared and unable to sleep and worried about his father. He is afraid something else is going to happen and he does not want to go back to jail. Refer to the recording for further details.

On 4/21/16, I contacted Richard Pulido. The interview was recorded and stored on a CD. Pulido confirmed that he understood that he was voluntarily speaking with me, did not have to answer any questions and could end the interview at any time. Pulido said he was at Alpine park fishing with his son Richard Pulido, his son's girlfriend Alicia, Bryant and others. Pulido said there was a crowd of people at the park and they heard that a man they know as "Freedom" (Glover) was telling people he had just been assaulted. Pulido went over to see him and described how his face was all bloody. Glover pointed out Jason Arreaga's residence and said a guy inside had him inside the house and beat him up. Pulido described Jason Arreaga's residence.

Pulido said Bryant walked up to Jason Arreaga at his residence and, "Polite as heck" asks Jason Arreaga why he beat up Glover. Jason Arreaga replied, "You want some too. I'll fucking bury you" and then brandishes a pocket knife. He then tried to stab Bryant through the metal security door. Pulido said there was an older man (possible name of Jerry), Richard Pulido (son), his girlfriend and a guy named Derik standing with him on the sidewalk behind Bryant watching. Pulido said Bryant almost got stabbed in the chest. Bryant started kicking the security door. They continued arguing and Jason Arreaga charged into the security door which loosened it up. Bryant kicked the security door again and was able to get it to open. Jason Arreaga continued to try and stab Bryant while Bryant is kicking at him to keep him away. Pulido said Bryant never entered the residence. Pulido said Jason Arreaga then told someone inside to shoot them. Pulido looked in through the side front window and saw a man pointing a rifle at them. He told Bryant there was someone inside with a gun. Bryant closed the door and went to leave when they heard a gunshot and then someone screaming inside. He told everyone to run.

Pulido said he heard that someone took marijuana from Glover. I asked him what their intent was before going to Jason Arreaga's house. Pulido said he was just following the crowd over there. Pulido denied meeting with Bryant and Adkins and planning to beat up Jason Arreaga and stealing the marijuana back. Pulido said the plan was to confront him over beating up Glover. Pulido said he thought the man with the gun was in the far back area of the residence. He thought the man might have been in a wheelchair because he was sitting so low. Pulido said he heard the gunshot and actually saw him aiming the gun at the door. Pulido said he saw the man fire the shot, heard a ping (ricochet) and then saw the man get hit in the leg by the bullet. Pulido says Jason Arreaga told the man to shoot and then moved out of the way to the side while holding the door open so he was out of the way. Pulido denied that he had any specific intent to hurt Jason Arreaga. He said Adkins was standing with them but did not do anything but watch what was happening.

I advised Pulido of the Simmons Decision from a dept. issued form. He indicated he understood and signed the form. I showed him a black and white photo array which contained a photograph of Jeremy Bryant and a color photo array which contained a photograph of Jerry Adkins. The photos were arranged in random order. He identified Bryant and Adkins in their lineups and initialed and dated the photographs. I stored the photo lineups and Simmons form in evidence at the LCSO Main Office.

I asked Pulido to describe the knife he says Jason Arreaga had. He described it as a standard sized pocket knife with a black blade. He continued to say that they only intended to talk to him and tell him to leave Glover alone. I asked Pulido again if he actually saw the muzzle blast and he said he did not. He saw the gun pointed towards them and was running away when he heard the gun shot. Refer to the recording for further details.

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On 4/21/16, I contacted Derek Killough. The interview was recorded and stored on a CD. Killough said he was sitting at Alpine Park when Bryant told him about what happened to Glover and where the guy that did it lived. Killough said he walked with Bryant and others to Jason Arreaga's residence to confront him about what happened with Glover. Killough said they first walked down the alley on the left side of the building to knock on the door there but there was no answer. They went to the front of the residence and noticed a light turned on inside so you could see in through the tinted windows. Bryant confronted Jason Arreaga about what happened to Glover. They exchanged words when Jason Arreaga pulled a knife out. Bryant broke the security door at which point Killough saw Jason Arreaga run inside and grab a handgun. Killough said he immediately ran across the street to get away and did not see if anyone else went inside.

Killough said the people that went to confront Jason Arreaga were Bryant, Adkins, and maybe a couple other people he did not know. Killough said he also did not know Jason Arreaga. He said the only person that did anything physical was Bryant with Jason Arreaga. Killough said the metal security doors were closed when they first made contact with Jason Arreaga. Killough said Jason Arreaga was swinging his knife back and forth while standing behind the closed metal doors but did not see him try to stab Bryant. He heard the gunshot as he was running away and described it as sounding like a muffled small caliber gun. Refer to the recording for further details.

On 4/21/16, I contacted Derek Killough. The interview was recorded and stored on a CD. I advised Pulido of the Simmons Decision from a dept. issued form. He indicated he understood and signed the form. I showed him three black and white photo arrays which contained a photograph of Jeremy Bryant, Richard Pulido and Jerry Adkins. The photos were arranged in random order. He identified Bryant, Pulido and Adkins in their lineups and initialed and dated the photographs. I stored the photo lineups and Simmons form in evidence at the LCSO Main Office. Refer to the recording for further details.

On 4/25/16, I spoke with Yvonne Cox by phone. For purposes of this investigation, the conversation was recorded and stored on a CD. She was at home the night of this incident when she was contacted by LCSO Personnel looking for Bryant. She said Bryant has worked for her and even though he is a cage fighter she has not know him to be a violent person. She was able to contact Bryant who then came to her house. Bryant told her that he was going to Alpine Park to hang out with Richard Pulido, Adkins and a couple other guys. He ran into Glover who told him that he was just assaulted by the guy across the street. Glover said he went upstairs and got a couple bags of marijuana and brought them down to Jason Arreaga. Jason Arreaga then beat him up and stole the marijuana. Cox said Jason Arreaga was recently acquitted for the murder of someone that worked for her. Bryant further told her that Jason Arreaga tried to stab him. At some point, Michael Arreaga told Jason Arreaga to step aside and then shot at Bryant. The bullet misses Bryant, hits the steel security door and ricochets back striking Michael Arreaga in the leg. Cox said Bryant, Pulido and Adkins all told her the same story. She said there was another subject named "Boomer" that was there. Cox said he is an IMA with dark skin and tattoos who told her he was there. Refer to the recording for further details.

Case Closed: Arrest

Prepared By:

S0078 PFANN, JERRY

Date:

04/20/2016

Approved By:

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Date:

04/28/2016

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SUPPLEMENT 6 - Lab

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Attachments (Scanned)

None

Narrative

On 4/19/2016, Sergeant Davis and Detective Pfann asked that I analyze items of clothing taken from Jeremy Bryant.

I took possession of items 6, 7, 9-14 and took the items to the evidence lab. I put on gloves, a face mask, and lab coat; changing my gloves throughout each process. I took photos of each item throughout this process and later attached them to this report (photos 98-146).

Using a MegaMAXX alternative light source at 395 nm (UV) with clear goggles, I examined each item of clothing for possible blood, with negative results. Upon examining item 9 - blue jeans, I saw dark spots that appeared to be oil; however I tested these spots to rule out the possibility of blood, by wetting a sterile cotton swab with distilled water and rubbing the spot. I then placed the swab in a Hemident test kit to test for possible blood, with negative results. Hemident is a presumptive blood reagent, which turns a blue-green color when in contact with mammal blood.

I repacked each item as I completed each one and stored them in evidence at Lake County Sheriff's Office evidence building.

CASE STATUS: Arrest

Prepared By:

S0114 PORTER, ELONA

Date:

04/20/2016

Approved By:

S0405 JOSEPH, KELLIE

Date:

04/26/2016

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SUPPLEMENT 6 - Lab

Page 1

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Attachments (Scanned)

None

Narrative

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I repacked each item as I completed each one and stored them in evidence at Lake County Sheriff's Office evidence building.

CASE STATUS: *Arrest*

Prepared By:

S0114 PORTER, ELONA

Date:

04/20/2016

Approved By:

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Date:

04/26/2016

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Attachment # 1



**LAKE COUNTY DISTRICT ATTORNEY'S OFFICE
BUREAU OF INVESTIGATIONS**

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255 N. Forbes Street, Lakeport, California 95453

Case Number
17-010

INVESTIGATION SUPPLEMENTAL REPORT

DEFENDANT Bryant, Jeremy
AGENCY CASE # 1604-0227, CR944853, 161714
CRIME # 664/187
SUPPLEMENTAL # MB-1

On 1/4/16, I retrieved jail calls placed by Jason Arreaga via Lake County Sheriff's Department's Globatelink system. I reviewed the calls placed by Jason and noted the below case relevant information, regarding the above listed case. Attached is a disk containing the audio recording. Refer to the disk for further information.

11/15/16 16:08:27 Destination 707- [REDACTED], call id 7sp65bfL.v16

Call to Male (Michael Arreaga, Jason's father with same phone number. During a different call to the same number Jason identifies the male by calling him Dad.) Michael was involved in the above pending case and was shot during the incident. They discuss Michael sending money to Jason and putting money on the phone. Michael says he talked to his sister who tried talking to him about the incident. Michael did not want to talk about what happened during the incident however he later makes many statements about it (what I determined to be April of 2016).

06:10

M: So my fucking sister, uh, I almost lost it on her because uh, she said to me, I was just. The only thing I said was, you know. I had 6 surgeries to save my leg. I fucking got my leg shot off, from under me, la, la, la. I didn't say I. You. Who. We. What. She said, "Oh so you, I heard you shot yourself."

J: What the fuck

M: I'm like fuck. Okay, whatever. Did you say anything like that to her?

J: No I didn't. I told her that you were shot.

M: Yeah, you know that's all I said. I said I was shot. I didn't say I shot myself, or the punk did it. And then when I said the punk um, that well I was fucking with or you were fucking with, by the gate. Uh, said that the the detective told me there was 8 mother fuckers out there, besides the punk. Yeah, okay she goes, "Oh so there was only one guy." I'm like, "were you there? (laughs) Gee maybe you were outside with them, I don't know maybe you came and did this to me and you fucking saw, I don't know?"

J: She's reading all the blogs and shit. On the internet dude.

M: Yeah it's fucking, I told em, I told em the detectives name and rattle off his number real quick and said, "You're welcome to talk to him about it cuz, he told me. I didn't tell him, and didn't tell you or her any fucking thing." The detective is the one that sat me down and told me that there was more than one mother fucker out there, la, la, la, la. And then I, you know---

J: They got, they ran down every single one of them. And all, the all---

M: yeah

J: All those fools, told on that one guy so that's why there's only one guy locked up.

Reporting Officer
Martina Bean

Date
1/13/16



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INVESTIGATION SUPPLEMENTAL REPORT

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17-010

M: I know the, they let the other half of them go.....

08:12

M: And I don't care whether I shot my fucking self or not. I, I, I. You know the mother fucker shouldn't have been in our faces like that, you know.

J: No, you know they —

M: And I, part of me wants to fucking say yeah okay I shot my fucking self, let the mother fucker go. Because I aint no fucking snitch, whatever, but you know. You know what, I don't give a fuck.

J: Yeah fuck that—

M: The mother fucker shouldn't have been there.

J: Fuck that bitch.

M: And if I shot myself in the fucking leg, trying to shot him, then he is equally responsible in my fucking book. In my book. You know what I mean?

J: Yeah, fuck that bitch.

M: I never said anything like that, to her or to any fucking body else.

J: It's on the blog on the internet

M: But you know how the bitch is. She, she always draws her own fucking conclusions and starts fucking assuming shit (talking over each other)

J: Yeah I don't' know what she thinks the in the internet has anything (talking over each other)

M: Yeah I don't, would you say. And why the fuck would you say something like that to somebody who has been through that shit, you know what I mean?

J: Yeah, she's just.

M: Why don't you be the fuck careful what you say, when somebody goes through something like that. And I said, "What, so I'm going to court?"—

J: I was talking to her, I started talking to her cuz I was talking to her about Carly and fucking she flipped out on me and that fucking, you know that bitch, that testified on you. Just went all crazy you know, on me and said that I shouldn't be fucking with her. That that was the biggest mistake I was ever going to make in my life.

M: Yeah, keep that shit to yourself though. You know, you know it's not her place to do that. You know what I mean?

J: Yeah. Yeah, I know.

M: Well, I'm talking about miss "oh we're strangers" and shit like that and were not really family now because we've not been a part of your life for so long. Well that's your choice bitch, not mine.....

10:42

M: (still talking about his sister) The bitch is a couple away, a couple years away from sixty.

J: Yeah I know.

M: Ya know—



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J: She doesn't act like it at all.

M: I thought she'd fucking give it up after a while. You know but the bitch is just—

J: I know.

M: And the way she said it too, you know how she is. She goes, "So you shot yourself!" And I'm like, "Well if you want to look at it that way. Yeah, I was. The story I told was I was struggling with the fucking, fucking shit back and forth and he had his hands in it to so, there you go." And I mean that's the version that you know, just me and you, uh, decided to fucking tell them. That you told the same story I did, and, and and fuck em, you know?

J: Yeah

M: Yeah, yeah that it was in the mix that I got shot. And yes I did fucking shoot myself in the leg. Yeah, but I was trying to beat on the mother fucker cuz you back was fucking to me and I was going. Remember I was going, fucking move over. Move out of the way so I can shoot the mother fucker. But your, your hand was stuck in the fucking, in the cage, you know what I mean?

J: Yeah I know that fuck—

M: And between the door and between the door and the gate and the fucking wall, you know?

J: Yeah he kicked it in—

M: And I was afraid if I shot, at the mother fucker right next to you—

J: I've seen the bum going to court a couple of time and I really fucking wanted to get at him but they kept us separated, like a mother fucker.

M: Yeah, when the, when the bitch was talking like, and I said well, I laughed, and I'm like why do you think I'm going to court with the mother fucker. Do you think I'm going there for the fun of it. Or because I didn't shoot anybody or didn't get shot, or what the fucks her trip, I mean, you know.

J: The dude almost took the deal for 6 years.

M: Yeah?

J: Yeah. My guess is he's trying to fight it all the way.

M: So they're looking at more time for him?

J: Yeah.

M: Wow.

J: Yeah he's looking at a lot of time.

M: Well I hope, I hope that he's a piece of shit, you know. Something about him, cuz he's gonna get jumped because he has a longer criminal history than you do. (laughs)

J: Yeah your right, he's a piece of shit.

M: Yeah he's a total piece of shit. So, I, I don't give a fuck.

J: Yeah

M: And he shouldn't have been at the fucking door fucking with you, over somebody else's fucking bullshit. If you can't handle your own business, then what the fuck are you doing in somebody else, you know what I mean?

J: Yeah backing up some 6 foot 11 mother fucker. I mean come on dude that's bullshit. Had his own back (laughs).



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Case Number
17-010

M: Yeah he can't come back and handle his own business. Yeah he was a big enough mother fucker he could, yeah he was a little, deep delee, you know. Maybe come with your friends and lead the mother fucking shit.

J: No, he didn't.

M: You know. His ass should have been out front. He should have been the first mother fucker to the door with them behind him. Then maybe I'd give him a little respect.

Maybe I'd just, I'll just let it go. But, na, na, na, na, no.

J: I remember seeing him in the casino and he pissed his pants on me..... (they continue laughing about the handicapped male and mocking him and discussing what they could or should have done to him in the casino)

19:15

M: I 'll tell you what the piggy's don't like him.

J: Quinn?

M: No no, not Quinn, but the punk.

J: Oh I know.

M: The detective, the detective that keeps coming by and shit, they even fucking swabbed my mouth for DNA to see who really handled. I, I don't give a shit if they find out it was only me that touched the fucking gun. It doesn't matter.

J: Oh yeah.

M: I'll just say he was wearing gloves. Shit, you know what I mean.

J: Yeah.

M: I don't give a shit either way that mother fucker—

J: It's dinner time fo, I'll call, Hey get a hold of Carly for me will you, and tell her. You know just talk to her.

M: I will try and do it right now, as soon as we—

J: Okay. I love you fo, I gotta go.

M: Ok, buh bye.

After learning the above listed information, I reviewed the case file and determined they were indeed speaking about the shooting on April of 2016, I contacted Lake County Deputy District Attorney (DDA) Edward Borg and had him listen to the audio recording as well. It was clear both Arreaga's gave a false statement to law enforcement about what actually occurred during the shooting incident and who shot Michael. Furthermore Michael Arreaga intended to lie further if questioned about his DNA. DDA Borg believed it was necessary to immediately dismiss the charges against Jeremy Bryant. We coordinated with the Lake County Superior Court and defense council, Mitch Hauptman. A hearing was held in Department 3 at 1500 hours, and DDA Borg dismissed the charges against Bryant without provide the above listed reason. Judge Blum ordered that Bryant be released from custody immediately. DDA Borg called Michael and advised him the defendant was being released pending further investigation.

Case Status: Pending Grand Jury Hearing

Reporting Officer
Martina Bean

Date
1/13/16

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OFFICE OF THE LAKE COUNTY DISTRICT ATTORNEY



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April 5, 2017

PRESS RELEASE ARREST OF MICHAEL ANTHONY ARREAGA FOR PERJURY

On March 30, 2018, The Lake County District Attorney's Perjury Investigation Unit concluded a three month long investigation with the arrest of Michael Anthony Arreaga, age 56, for three counts of perjury, providing false information to a grand jury and filing a false police report.

This case originated from a report on April 18, 2016, made to the Sheriff's Department of a shooting at 6014 East Highway 20 in Lucerne. Michael Arreaga told Sheriff's Deputies that Jeremy Bryant and several other people had forced their way onto the Arreaga property through a security fence, then into the Arreaga residence. Michael Arreaga gave information that the suspects were there to rob his son, Jason Arreaga, age 31, of marijuana and money.

Michael Arreaga told deputies that fearing for his and his son's life he got his rifle and confronted Jeremy Bryant. He said Jeremy Bryant grabbed the rifle and they struggled for control of it. Michael Arreaga said that during the struggle Jeremy Bryant shot him in the leg. Michael Arreaga's story was corroborated by his son Jason. Later that same day, Jeremy Arreaga was arrested by sheriff's deputies and charged with robbery, assault with a deadly weapon and burglary.

On January 5, 2017, two weeks before Jeremy Bryant's jury trial was to start investigators from the Lake County District Attorney's Office obtained information that lead them to believe Jeremy Bryant may be innocent of the charges. On the same day, and after spending almost nine months in custody, Jeremy Bryant was released from jail, pending further investigation.

Lake County District Attorney Don Anderson impaneled a Criminal Investigative Grand Jury as part of the investigation into this matter. On January 27, 2017, Michael Arreaga testified before the Grand Jury in the same manner and to the same facts that he had told sheriff's deputies.

During the course of the District Attorney's investigation it was determined the truth was that during the altercation between Jason Arreaga and Jeremy Bryant, Michael Arreaga did obtain a rifle but had accidentally shot himself in the leg. It was also determined that Jeremy Bryant never entered the Arreaga residence or struggled with Michael Arreaga for the rifle as Michael Arreaga testified to before the grand jury.

Michael Arreaga faces a maximum sentence of six year if convicted of the charges.

The District Attorney's Office is continuing to actively investigate and prosecute perjury cases in Lake County. This is one of several cases currently being investigated and more arrests are anticipated.